

DOCUMENT RESUME

ED 121 472

PS 008 541

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TITLE The Rationales for Early Childhood Education Policy Making: A Comparative Case Study Analysis.
INSTITUTION Hewitt Research Center, Berrien Springs, Mich.
SPONS AGENCY Office of Economic Opportunity, Washington, D.C.
REPORT NO OEO-50079-G-73-02
PUB DATE Sep 75
NOTE 398p.; For related document, see ED 114 208

EDRS PRICE MF-\$0.83 HC-\$20.75 Plus Postage
DESCRIPTORS Change Agents; Change Strategies; Comparative Analysis; *Early Childhood Education; Educational Legislation; Educationally Disadvantaged; Federal Legislation; *Government Role; Handicapped Children; *Kindergarten; *Policy Formation; Preschool Programs; Research Methodology; School Funds; Social Welfare; State Legislation; *State Surveys

ABSTRACT

This report describes early childhood education policy making and legislation in several states and discusses research methodology for comparative case study research. The first part of the study provides a historical account of the emergence of the national compulsory attendance movement in the 19th century, and the corresponding growth of early childhood education. In the second part of the report, extensive case studies of five states (West Virginia, California, New Mexico, Ohio, and Georgia) that initiated kindergarten legislation between 1971 and 1973 are presented. Considered in each state case study are such issues as: (1) rationales that state policy makers have used to support early childhood education policy initiatives, (2) background of the reform, (3) response to proposed legislation, (4) development of the change, (5) opposition to the reform, and (6) legislative leadership necessary to effect the change. Social, political, fiscal, and research rationales of the reform legislation are discussed and compared. In the third section of the document, research methodology and survey techniques, materials, and results are discussed in great detail. The final chapter contains a selected bibliography.
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THE RATIONALES FOR EARLY CHILDHOOD EDUCATION POLICY MAKING

A Comparative Case Study Analysis

Prepared for
U.S. Community Services Administration, H.E.W.
(formerly U.S. Office of Economic Opportunity)
Under Research Grant No. 50079-G-73/02

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September, 1975

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*All components not designated by specific authorship were prepared by the principal author, Pascal D. Forgione, Jr. Profiles of project researchers are provided on page 336.

Forgione, Pascal D., Jr. The Rationales for Early Childhood Education Policy Making: A Comparative Case Study Analysis. Berrien Springs, MI: The Hewitt Research Center, 1975.

During the 1960's national attention was focused on early childhood education both academically, with scholars presenting evidence to support early intervention, and politically, with enactment of federal programs such as Project Head Start (1965). In the 1970's, early childhood education has come to the fore as a major social policy issue at the state level. An ECE legislative idea, from the time it is conceived until it becomes a law, goes through an intensely political process that emphasizes the importance of individual political actors and unanticipated developments as opposed to organized movements and empirical rationales.

The first part of this study is an historical account of the emergence of the national compulsory attendance movement in the 19th century and the corresponding blossoming of ECE. The establishment of state-supported kindergartens in California, discussed in the second chapter, was typical of the rise of infant education throughout the country at the turn of the century.

In the second part five states that initiated kindergarten legislation between 1971 and 1973 are investigated, in order to illuminate the rationales and describe how ECE policy is made. Each case study was developed around several basic research questions. This careful structuring provided greater comparability among cases, emphasizing the rationales behind specific legislative activity.

In West Virginia, federal policy interests and fiscal incentives, combined with favorable state political and fiscal conditions, prompted legislation in 1971 to provide public kindergartens for all five-year-olds. The emergence of a supportive legislative leader and the determination of a politically sophisticated governor forced a largely reluctant legislature to ratify the ECE reform.

In California, ECE's ultimate success as a policy issue was directly attributable to the efforts of the new state school superintendent. California already mandated kindergarten. The 1972 legislation outlined an expanded program for children through the third grade. A decision was postponed on voluntary programs for four-year-olds until 1975, due to fiscal and social objections.

New Mexico's preschool legislation (1973) mandated statewide kindergarten, but targeted appropriations for the phase-in period to needy pupils. The strongest citizens group found in any of the five states pushed through this kindergarten reform. However, key actors in the Senate Appropriation Committee and in the Executive Branch limited the funding to serve disadvantaged preschool children.

The statistical and fiscal impacts of mandating kindergarten offerings in Ohio (1973) were small, since almost 90 percent of first-grade students that year had attended kindergarten. The bill, an historical outgrowth of an early 1969 Batelle Institute Pre-School Report, passed easily after a compulsory attendance provision was eliminated and transportation costs were resolved in previous legislative sessions.

The availability of heavy matching federal dollars in the social welfare area stimulated Georgia's activist governor in 1972 to launch a movement for preschool programs geared to handicapped children. Strong dissatisfaction by the general public and educators over the targeted preschool priorities resulted in efforts over four legislative sessions to expand ECE into a statewide kindergarten for all five-year-olds. The specter of state fiscal problems caused the elimination of new kindergarten money in the 1975 special session.

In the final chapter of Part Two rationales are discussed and compared. Although successful legislative strategy was patterned after each state's own political and cultural characteristics, federal influence in both policy and budget areas was pervasive. The rationales used both to support and to oppose ECE reform could be divided into four categories: social, political, fiscal and research. A single rationale could be tailored to fit the needs of either supporting or opposing groups, and they didn't always have to be logical in order to be effective. This is to be expected in the state policy making process that is essentially political.

In the third part research methodology and survey techniques are discussed. Survey material and results are reported in great detail, so that other researchers will be able to apply the systematic approach developed for this study to their own investigations. The final chapter is a selected bibliography.

PREFACE

This research project is a product of the early efforts of Dr. Raymond S. Moore, President, Hewitt Research Center, to secure from the Office of Economic Opportunity a research grant to study early childhood education policy making at the state level. Dr. Moore approached me in the late spring of 1973 with a challenge to initiate a systematic investigation of this heretofore unexplored policy issue.

That summer, I consulted with a group of researchers at the School of Education, Stanford University, to formulate the research design of this study, most notably, with Michael Kirst, Associate Professor, Politics of Education; David Tyack, Professor, History of Education; and Robert Hess, Lee L. Jacks Professor of Child Education.

It is my intention that this research project will initiate a more systematic and intensive examination of this emerging and critical issue and provide insights into the rationales that states and state policy makers have used to support their recent ECE legislative initiatives. I especially hope to encourage educational policy researchers to extend this examination of early childhood education beyond the present focus on kindergarten legislation to other emerging ECE issues, such as preschool, day care and early development legislation.

I wish to thank the Hewitt Research Center, especially Dr. Raymond Moore, for their financial support and confidence in the research project, and my colleagues who assisted in this policy study, especially Professor Kirst, whose guidance and inspiration were critical ingredients in the development of this research investigation, and Rudy Marshall, whose comradeship and commitment was a constant source of encouragement during the two years. I also wish to acknowledge my special indebtedness to my dear wife, Maxine, for her love and understanding.

Pascal D. Forgione, Jr.
Principal Investigator
August, 1975

EXECUTIVE SUMMARY

Introduction (Chapter 3). During the 1960's national attention was focused on early childhood education both academically, with scholars presenting evidence that early intervention strategies were crucial to child development, and politically, with federal policy makers enacting sweeping proposals such as Project Head Start in 1965. In the 1970's, early childhood education has come to the fore as a major social policy issue at the state level. What happens to an ECE legislative idea between the time it is conceived and the time it becomes law, and why does it happen that way, e.g., the politics or rationales behind this policy activity?

This study attempts to answer that question. Its core, Part Two, provides an exploratory analysis of early childhood education policy making that investigates five selected states that have initiated kindergarten legislation between the 1971 and 1973 legislative sessions. Very little appears to be known about the reasons behind ECE state policy making. Many applaud these policies. Many are indifferent. And some seriously question the legislative rationale, suggesting that vested interests and political considerations may at times transcend the welfare of the child himself. Given ECE's potential impact and implications, fiscal and societal, it seems appropriate to investigate the rationales the states have used to support recent ECE policy initiatives. A secondary purpose is to describe how ECE policy is made. There is no attempt to evaluate what is the scientifically correct research bases, either abstractly or for individual policy initiatives.

To approach these questions, a research framework had to be developed, but this was hindered by the lack of any prior ECE studies. A comparative case study approach was adopted because it should best provide useful data as well as "hard evidence" about the rationales that instigated significant ECE legislation. The scope was limited to a set of five states that enacted

kindergarten legislation or programs for 5-year-olds. Each case study, treated in depth, follows a consistent framework formulated around seven basic research questions:

- (1) What was the background to the reform--the status quo ante?
- (2) Who launched the proposal(s) and what was the rationale(s)?
- (3) What was the response to the proposal(s)?
- (4) What legislative provisions were proposed? How were they altered throughout the policy process and what was the rationale(s) for the modification(s)?
- (5) How was the initiative developed?
- (6) Who assumed the role of legislative leadership and why? What was the involvement of the Executive Branch, i.e. State Education Agency, the Governor's office, and other agencies?
- (7) Who opposed and what was the rationale(s)?

Each case study discusses in three distinct sections the individual state's political system, the development of the early childhood proposal, and the major rationales behind adoption of the new policy.

PART ONE: HISTORICAL PERSPECTIVE ON EARLY CHILDHOOD DECISION MAKING

As a prelude to the policy investigation, the rationales behind the establishment of the first school entrance age laws (which have persisted as the present-day basis for ECE policy making) were studied. The historical analysis of ECE policy making focuses first on the emergence of the National Compulsory Education movement in the 19th century and then on a case study of the origins of kindergarten reform in California at the turn of the century. Insights gleaned from this historical analysis were incorporated into the categories of data--the research questions--that were developed for the investigation of contemporary ECE policy making.

Emergence of a National Compulsory Education Movement in the Late Nineteenth Century (Chapter 1). The threatening economic and social milieu of the late 19th century created a climate of acceptance of early childhood education, particularly in urban areas overcrowded with immigrants. At the same time, the compulsory education movement was blossoming, operating under similar rationales.

The kindergarten movement, viewed as a means of achieving the goal of social change, was affected over the years by other inputs--a growing body of "scientific" child studies which generally supported early childhood education, European educational philosophies that were reinterpreted when they crossed the ocean, and the influence of the movement's outstanding leaders.

During three centuries of early childhood education experimentation, kindergarten had been offered as an opportunity for the very wealthy or for the indigent. As the concept of the child in society changed in the second half of the 19th century from passive to active, from redeemable to redeemer, kindergarten came to be viewed not as an imported educational system, but as an agency particularly suited to deal with peculiarly American problems--the homogenization of an increasingly pluralistic population. The greater social good was considered adequate justification for overstepping parental jurisdiction. By the late 19th century both the kindergarten and compulsory school attendance movements were targeted on the urban poor.

Institutional acceptance of kindergarten in the late 19th century was signaled by NEA endorsement of the merging of kindergartens with the public school system in some states and the establishment in 1893 of its department of child study.

The California Kindergarten Story (Chapter 2). The early history of the kindergarten movement in California, from establishment of the first kindergarten (for the wealthy) in 1863 until the state accepted kindergartens into the public school system in 1915, is typical of the rise of infant education throughout the country in the late 19th and early 20th centuries.

California's first free kindergarten was set up in the disreputable Tar Flat district of San Francisco in the late 1870's, presaging the dramatic growth of kindergarten to serve the poor in the 1880's. Backed by wealthy philanthropists, a handful of early childhood education advocates touted kindergarten as an instrument for quelling urban unrest, directing social change, and arresting the possible development of young criminals.

In the 1890's, however, due to an economic crisis which cut contributions and perhaps also due to the death of one of the movement's greatest leaders, the number of kindergartens declined by over 30 percent. Reduced financial support was accompanied by increased agitation for merging the kindergartens into the public school system. In 1895, a California Supreme Court decision provided the impetus for establishment of kindergartens by local communities, a first step toward state oversight.

The movement for state-supported kindergartens paralleled the push for compulsory school attendance. When California passed its law establishing kindergartens in the public schools, supported by local taxes, its compulsory attendance laws guaranteed that the reformers' goals of early intervention to produce social change would be met.

We will now analyze whether these historical rationales have persisted or changed, as we turn our focus in Part Two to five selected case studies of contemporary ECE legislation.

PART TWO: FIVE CASE STUDIES OF CONTEMPORARY EARLY CHILDHOOD EDUCATION LEGISLATION

Analysis of Rationales (Chapter 9). Early childhood education policy making is a highly political process, with proposals for change initiated

and carried out largely within the formal channels of the political system. Because the broad political context in which any individual piece of legislation is set is of crucial importance, we have chosen the case study approach to comparative analysis of highly diverse ECE proposals.

From our historical analysis, it is evident that social and economic conditions created the stimulus for society's addressing ECE reform in both the late 19th century and in the 1970s. Each movement had its research advocates--Hall versus Bloom--and its philosophic influences--Froebel versus Piaget. Moreover, kindergarten was historically touted as an instrument for directing social change, while today's proponents claim that kindergarten will reduce the incidence of student failure and will be more cost effective than remediation efforts.

From a comparative standpoint, there are major differences in the initiation of the ECE reforms. The private philanthropic support of the 19th century is contrasted with the stimulus of federal dollars during the 1960s. Teacher organizations, major promoters in the past, were not significant in our contemporary cases. In addition, reformers historically advocated ECE programs as a means to a broad social end, the homogenization of an increasingly pluralistic population. Today, ECE has been presented as an essential educational experience that is necessary for the optimum development of each child's potential--including middle class children, who had previously been excluded from the targeted, Great Society legislation of the 1960s.

Although successful legislative strategy was patterned after each state's peculiar characteristics, federal influence was pervasive. During the 1960s the adoption of programs, such as Head Start, ESEA Title I and Social Security Act Title IV-A, and Office of Child Development prerogatives stimulated state interest in preschool programs both by symbolic policy decisions and by fiscal incentives. Another important federal influence was revenue sharing, which supplemented growing state budget surpluses to provide a highly favorable fiscal climate for addressing state priorities, including ECE. State proponents of reform looked to these federal policy activities to help formulate their own proposals, and the particular response that state activists selected was heavily influenced by federal priorities. For example, in West Virginia the federal Appalachian Regional Commission had established investment in preschool as a major priority, and had provided most of the money for two experimental Regional Demonstration Centers. Federal dollars targeted to specific areas provided even stronger incentives, and canny state entrepreneurs sought to make good use of the three-to-one matching funds available under the Social Security Act Title IV-A. Ohio used a Title V, ESEA, planning grant to bolster its research rationales for ECE by contracting with an outside research corporation, the Batelle Institute. And as federal funding began to dry up in the late 1960's the Appalachia Education Laboratory, a federal contracting agency, sought state sponsorship for its ECE programs as a supplementary funding source.

Within each state, political considerations took place within an historical and cultural context peculiar to that state. In California, for example, the broad array of ECE programs being offered already and the SDE's accepted role in ECE had established early childhood priorities

and made introduction of a proposal to educate 4-year-olds appear reasonable and feasible. In other states, limited or nonexistent state-supported ECE programs made initiation of new programs more difficult, and limited the extent of reform.

The key actors in early childhood policy formulation were most often persons new to the political scene, but in every case except New Mexico they were government officials, not members of outside pressure groups. In New Mexico, an ad hoc interest group called KIDS, Kindergartens-In-Demand Statewide, emerged out of a general dissatisfaction over lack of adequate preschool facilities for middle-class children.

The initial impetus for reform usually originated within the formal government with the chief policy entrepreneur being the governor in Georgia and West Virginia, the CSSO in California. The power of individual energizers was a significant factor in the development and final outcome of ECE policy proposals. These energizers, too, were most often prominent government officials—the President of the Senate and Governor in West Virginia, the State Superintendent of Public Instruction in California, the Public School Finance Chief and Senate Finance Committee Chairman in New Mexico, and the Governor in Georgia. The chief entrepreneur many times was also the primary energizer. The personal prejudices of influential individuals could greatly affect the content of an ECE program, or its chances of success.

The SEAs, the most obvious participants in the formal educational governance system, were not initiators or leaders in these five states. In some cases ECE policy outcomes over time did reflect SDE priorities (as in Ohio and New Mexico), and they were able to assist the proposals (as in California, Ohio and West Virginia), or impede them (as in Georgia and New Mexico). Neither teacher organizations nor working mothers/women's

liberation groups, whose constituencies might be expected to gain most directly from ECE legislation, wielded significant influence in our case study states.

Legislative proposals introduced in the five states studied varied greatly in content. In West Virginia, for example, the proposal incorporated the mandatory offering of kindergarten, preschool authorization and the implementation of demonstration centers, while in Ohio the legislation was simply a mandatory offering of kindergartens. Just as there was great diversity among ECE proposals, so, too, there were a number of ways to launch the issue statewide. In California the State Superintendent named a highly visible, blue ribbon group of citizens and professional educators to announce it; in West Virginia professional educators worked with the State Department of Education staff.

ECE initiatives merged with broader reform had better chances of success. In West Virginia, California and Georgia school finance reform legislation was used as a vehicle for moving ECE through the political system. Extensive legislative modifications could merge, cut, kill, or expand proposals. Important modifications often included incisive incremental policy-making bargains. The use of a phase-in process and delayed funding were popular ways of making ECE reform more acceptable to skeptical legislators.

The rationales behind ECE reform and the reactions provoked usually revolved around four basic areas of concern: social, political, economic, and research. However, responses varied widely according to the way in which the specific proposal was cast and how it fit into the state's established political culture. The same ECE proposal introduced in two states could receive different receptions due primarily to dissimilar political cultures.

Rationales were not always logical, but even illogical rationales could provide an impetus for substantive reform. In West Virginia, national statistics on performances on standardized tests ranked the state's children very low. Senate President concluded that by starting children in school a year earlier, their relative scores nationwide would be raised by one year. This research rationale, adopted by one primary energizer, was supplemented by a social rationale--a growing self-consciousness among West Virginians because all the neighboring states offered kindergarten programs. In California, political rationales were more important than the West Virginia-type social rationale, since ECE was seen as a vehicle for uniting people behind public education, as a side-payment for support of a broader school finance package, and as a means of remediating the discriminatory aspects of the existent system that served only needy children.

Economic considerations were usually tied most strongly to the federal fiscal incentives and to state economic surpluses. Other possible economic rationales, however, included (in Ohio) resolution of a controversy over state reimbursement for kindergarten transportation. Research rationales, while not extremely influential, were used to support predetermined positions, except in Ohio where the Batelle Institute findings were used in a straightforward manner to help determine policy initiatives. Bloom's research on early intervention, for instance, was used to support both pro-kindergarten and anti-kindergarten viewpoints.

Reactions, or substantive responses, tended to challenge the role of state-supported early childhood education or to question fiscal priorities. Opponents in many states saw ECE as an unnecessary state or federal intrusion into family life, as a mere babysitting service, as a ploy by teachers to get more jobs, as a competitor for funds needed by other education

programs, or as potentially damaging to the children themselves. Political considerations also questioned overall ECE policy. In West Virginia, the Appalachia Education Laboratory rightly feared that implementation of a conventional kindergarten program would blunt support for their innovative, home-based learning alternative. Fiscal objections primarily opposed preschool as a spending priority. Research rationales were gleaned from a wide body of literature, and tailored to fit the needs of the spokesmen in the individual state.

West Virginia Case (Chapter 4). In 1965, when federal Head Start and Title I ESEA legislation turned early intervention theories into practical preschool programs, West Virginia offered no public kindergarten at all. By September, 1972 thanks to a growing state consciousness, executive and legislative leadership, substantial federal assistance and a state budget surplus, every 5-year-old had the opportunity to attend a publicly supported kindergarten.

The new plan passed by the 1971 legislature mandated that ECE programs for all 5-year-olds be phased in initially over three years, beginning in the school year 1971-72. It contained a provision that permitted the county school boards to implement more than one ECE method, thus allowing school districts to experiment with the Appalachia Education Laboratory's (AEL) home-oriented, mobile classroom, television program as an alternative to the conventional school-based kindergarten approach. It also established regional early childhood education centers in five regions in the fiscal year 1972, provided funding for these programs in all seven regions in subsequent years, included the permissive authorization for the establishment of "ECE program below age 5," and assigned regulatory responsibility to the West Virginia State Department of Education.

The ECE victory in the 1971 legislature was the culmination of a growing concern for kindergarten and preschool education that evolved over a number of years. In 1967, a policy decision was made by the SDE to include kindergarten as an essential component of the educational system, followed in 1968 with the formation of an ECE task force, the development of the AEL counter-proposal, which surprisingly was supported by the WVEA, the announcement of Appalachia Regional Council (ARC) educational priorities, and the election of Arch Moore, who had endorsed kindergarten in his gubernatorial campaign platform.

During the 1969 legislative session the SDE sponsored unsuccessfully a pilot proposal to establish one kindergarten in each district. In mid-1969, the ARC funded an ECE advisory council, which developed a two-pronged ECE proposal. It called for funding of demonstration centers in each of seven educational regions throughout the state as a prelude to the full funding and implementation of kindergarten programs for all 5-year-olds. These centers were designed to produce quality programs, qualified ECE teachers, comprehensive auxiliary services, and meaningful parent involvement.

In 1970 the Governor proposed a major ECE plan, including kindergarten for all 5-year-olds and ARC-type demonstration centers. It was killed by the legislature, but the lessons the Governor learned from this failure helped him succeed in 1971. He learned that the crucial issue was finance; a phase-in strategy was more acceptable; public pressure for kindergarten had to be generated; and, demonstration centers were an appropriate initial step.

In the spring of 1970, following a successful education conference of lay citizens and professional educators, ARC once again funded an administration proposal to establish two "pilot" ECE demonstration centers, which were greeted enthusiastically by the local districts. As the 1971 legislative

session approached, the Governor engineered a budget surplus and secured the support of new Senate President Hans McCourt, who construed low relative test scores for West Virginia students to mean schooling should begin a year earlier.

The Governor's 1971 legislative proposal, similar to his 1970 program, began to break apart in the Senate Finance Committee. Senate President McCourt compromised with the committee and pressured the bill through both the Senate and House. The appropriations bill that provided \$3.5 million to pay for the state's share of the first phase of the new plan was supported by three rationales: the three-year implementation phase in; inclusion of kindergarten in a revised foundation plan after the first year; and the availability of a state revenue surplus.

President Nixon's veto of the Mondale-Brademas bill in December, 1971, dealt a mortal blow to the Governor's strategy to implement a comprehensive program of education, social and health services for young children. Nonetheless, he secured full funding for the second and third phases of state-wide kindergarten programs in 1972.

California Case (Chapter 5). California entered the 1970's with a broad and unique array of preschool services being provided under state sponsorship, including kindergartens, day care centers, compensatory education, migrant day care/preschool programs, and federal Head Start centers. Since California state law mandates kindergarten programs, the 1972 legislative reforms aimed at outlining an expanded, comprehensive educational program for children 4 years old through the third grade.

The preeminence and ultimate success of early childhood education as a policy issue is directly attributable to the leadership of Wilson Riles, who was elected state superintendent in 1970 on a platform that included

ECE reform and who bargained for the Governor's support. Although Riles and his supporters tried to make the comprehensive program include voluntary school programs for 4-year-olds, that policy decision was postponed by the legislature until the 1975 legislative session could evaluate a two-year pilot program. Under this \$65 million pilot project the state superintendent was authorized to begin restructuring the existing public school programs in kindergarten through third grade.

In the first days of his administration Riles named a blue ribbon task force to develop a comprehensive, integrated master plan for early childhood education for consideration by the 1972 legislature. He announced that ECE would be his second priority (behind school finance reform) and the major program initiative of his administration. He saw ECE as a vehicle for unifying splintered education groups, a springboard for restructuring the entire K through 12 educational system, and a demonstration of his administration's intention to deal with the needs of all children.

The 24-member task force was policy- and progress-oriented. Three major areas, the nature and content of the ECE program, the 4-year-old education issue, and the definition of the parental role, consumed much of its energy. Its recommendation that all children 4 to 8 years old be able to attend school was both costly and controversial. Riles appointed a SDE team to develop implementation guidelines.

The task force report, which failed to fully reflect the task force process, captured the imagination of the public--but not of all legislators. A research study, produced by the Hewitt Research Center, challenged the task force report, questioned its foundations, and insisted that additional research on ECE alternatives was needed, particularly concerning the education of 4-year-olds.

Dr. Riles' successful strategy included a strong element of consensus-building. In April, 1972, the SBE approved opening classrooms to 4-year-olds and in May, Riles forged the Education Congress from 13 fragmented education interest groups. He developed his battle plan for the 1972 legislative session within the larger sphere of a favorable climate for tax and school finance reform. The State Department of Education staff introduced three companion bills which carried the ECE proposals--one for program structure and funding provisions; one for transportation; and the third for child care services. On May 10, Riles appeared personally before the Assembly Education Committee, creating a reservoir of legislative goodwill. However, on May 30, the day Riles chose to announce his program formally, opposition (primarily philosophical) to the 4-year-old proposal began to well up. The Department of Finance (the Reagan administration) opposed the bill, SB 1302, because of its implementation and delivery system and a provision for long-term commitment of state funds without adequate statistical data.

On June 30, Riles personally appeared to push the bill through the Senate Finance Committee over the chairman's objections. The bill passed the upper house, but soon ran head-on into vociferous opposition in the Assembly. Objections, often heated and emotional, centered on the fiscal and social implications of the 4-year-old program. In the Assembly Education Committee, the bill was amended drastically to include five major revisions, aimed at allowing schools the lead-time necessary to improve and restructure their basic kindergarten through third grade program before diverting resources to the 4-year-old component. The success of SB 1302 was tied integrally to the State Superintendent's support of the compromise school finance package. The final version of the bill that passed required approval of substantive legislation in 1975 before 4-year-old programs are to be included in the ECE plan for 1975-76.

New Mexico Case (Chapter 6). The 1973 New Mexico preschool legislation provided \$1 million for statewide kindergarten, but targeted appropriations for the phase-in period to needy pupils. The measure was successful largely because of a growing state budget surplus and because the number of legislators who favored statewide or targeted preschool programs outnumbered the opponents. The political climate conducive to reform was created by a supportive governor, the Legislative School Study Committee (LSSC) recommendation of statewide kindergartens for all students, and the support of a citizens group called Kindergartens-in-Demand-Statewide (KIDS). Although there was general agreement over the desired policy output--required offering of kindergarten, but no compulsory attendance--the cost of ECE and disagreement over targeting spending for special needs stymied early reform efforts. Both these controversies were neutralized in 1973.

New Mexico, a state with unusual demographic characteristics and many pupils with special educational needs, had been developing pilot programs for economically and educationally deprived children since 1967, which served as models for ECE legislation. Governor Cargo announced implementation of statewide kindergartens as one of his top priorities shortly after his election in 1966, but there was no serious legislative consideration until 1970. In 1969 the Chief of the Division of Public School Finance (PSF) began using discretionary school funds for preschool programs, combined with federal and local dollars. This administrative appropriation increased every year, setting a precedent for state support of kindergartens.

The bill introduced in 1970 asked for \$2 million for preschool development to put disadvantaged children on an equal footing with others. It was opposed and defeated for fiscal reasons, but the legislature did ask the LSSC (a joint interim committee set up in 1966 to study educational problems) to devise a plan for funding kindergartens.

Based on the LSSC report's recommendation of kindergarten offerings for all New Mexico children, a bill was introduced in the 1971 legislative session that sought \$1 million for kindergartens for the 1971-72 school year. Another bill called for establishment of kindergarten programs statewide no later than fall, 1972. This would have been financed by levying an additional two-cents-per-gallon tax on motor fuel. What the legislature finally approved was \$200,000 from supplemental funds to initiate additional preschool programs in 1971-72. The PSF Chief allocated another \$142,000 on his own.

There was no preschool legislation introduced in the 1972 legislature, but the Public School Finance Chief upped the preschool allotment to \$440,000. In the summer, 1972, the LSSC held a hearing which brought together those interested in kindergarten, and by the end of the year, KIDS, probably the most influential ad hoc education interest group found in the five case studies, was formed. As support for preschool programs began to gain strength, so did the opposition. Legislators began to criticize kindergarten as "babysitting" and special education groups charged that kindergarten would drain desperately needed funds from programs for the handicapped.

The State Department of Education wanted a \$1 million appropriation, with no legislation, to expand kindergarten services, but some department employees disagreed with this plan.

Mid-way through the 1973 session, HB 360, an early childhood education programs bill, was introduced. It called for phasing in of ECE programs by all school boards not later than September 1, 1977. The appropriations request was contained in HB 300, the General Appropriations Act. Opposition to HB 360 came from the chairman of the Senate Finance Committee, who insisted that the bill be directed toward the target population that most

needed kindergarten. The compromise reached enabled HB 360 to pass, but inserted into HB 300, the appropriations bill, language that would target monies from the supplemental funds program enrichment account to disadvantaged children. The State Board of Education adopted the targeted language of the appropriations bill as its guideline for future implementation of preschools in New Mexico.

Ohio Case (Chapter 7). On September 30, 1973, a law was enacted that firmly established kindergarten as part of the basic educational program in Ohio. The statute requires all Ohio school districts, except joint vocational districts, to offer kindergarten by September 30, 1975.

The statistical and fiscal impacts of the bill were far smaller than the structural implication, since by 1972-73 almost 90 percent of Ohio's first-grade pupils had attended kindergarten and only 16 out of 624 districts did not offer kindergarten. The increased cost to the state for the transportation and instruction of these 2,500 children was estimated at less than \$700,000.

Since the state had funded public kindergartens in local districts on a permissive basis since 1935, there was little sign of the then-ongoing national discussion of the merits of early childhood education.

The 1973 bill had the support of the State Department of Education and the Ohio Education Association, but no other major interest group played a significant role either in support or opposition. It was the third attempt at passing kindergarten legislation, and backers knew the legislative ropes from the two previous failures in the 1969 and 1971 legislative sessions.

Two issues scuttled the first two bills: transportation costs and the fear that compulsory kindergarten might force non-public school children to attend public kindergartens. In 1969, a bill was introduced adopting a

State Board of Education recommendation to require all school districts to offer kindergarten beginning September 1, 1972, but without a compulsory attendance requirement. Opponents argued that the state could not afford to reimburse local districts for transportation costs of kindergarten pupils, and killed the bill.

In September, 1969, the Battelle Preschool Report, which had been commissioned by the State Department of Education in 1968, found a need for statewide policy concerning early education and set kindergarten and pre-kindergarten as the second and third priorities, behind education of children reared in poverty. The Battelle Report's recommendation of compulsory kindergarten for 5-year-olds had a major impact on the state department and was adopted by the State Board of Education in its 1971 legislative recommendations. The bill based on the state board's request for compulsory kindergartens never made it to the committee. It was overshadowed by school finance reform, and blocked by the transportation issue again. Even more devastating to its chances for success was the non-public schools issue that stemmed from the compulsory attendance requirement.

Elections in 1972 changed the House from a republican to a democratic majority, and in 1973 the state board again outlined kindergarten legislation. This time, however, it mandated all districts to offer kindergarten, but withdrew the compulsory attendance provision. The transportation issue had been resolved in 1971 by legislative technicalities that redefined "elementary school" to include kindergarten, thus freeing the state to reimburse local districts for kindergarten transportation costs. Opposition to the bill in the House and Senate centered around fiscal considerations and only one substantive change was amended into the bill. The House Education, Health, and Welfare Committee changed the effective date from September 30, 1974, to

September 30, 1975, so the bill would have no fiscal impact on the budget for the upcoming biennium.

Georgia Case (Chapter 8). The initiative for early childhood education in Georgia evolved into a major policy issue through four increasingly successful legislative sessions. Finally, in 1975 a statewide kindergarten program for all 5-year-olds, authorized in 1974, was funded according to a phase-in schedule beginning in the 1975-76 school year. But the specter of continuing fiscal problems hung over the legislature. In a special session it slashed education funds and completely eliminated new kindergarten money.

The active leadership of Governor James Carter (1971-74) launched a movement for programs geared to handicapped pupils. Governor George Busbee, elected in 1974, enthusiastically supported appropriations for kindergartens for all 5-year-olds in 1975.

The stage was first set for controversy in the 1972 legislature. Governor Carter's priorities clearly were to help the most needy youngsters first. The Governor wrested money from the state legislature to pay for part of a comprehensive program for the handicapped, with the federal government picking up the tab for the remainder under Social Security Title IV-A. The Title IV-A money never came through, but the Governor had established his priorities. Opposition to his plans developed from many sides. Some opposed federal intrusion into state-supported schools; some felt the Governor's proposal overstated the legislature's responsibility for social welfare; and others objected to the heavy emphasis on education for the needy to the exclusion of the middle class.

During the summer, 1972, conflict became heated among the State Department of Education, the Governor, and related state agencies over

spending priorities and implementation of the controversial 1972 preschool bill. As the 1973 legislative session approached, educators still refused to accept the Governor's preschool priorities. Their goal was statewide kindergarten for all 5-year-olds.

The Governor countered the educators' plan with a proposal to phase in preschool programs over a 5-year period, but by providing for all exceptional children, ages 3 to 5, before providing for non-handicapped children of any age. Another suggestion, from a prominent legislator, was to improve existing elementary school programs before starting any new preschool programs. After considerable legislative haggling the administration prevailed, as the Senate Appropriations Committee approved almost \$6.7 million for preschools for mentally, physically and emotionally handicapped 5-year-olds.

This mild rebuff to statewide kindergartens for 5-year-olds wasn't the end of ECE reform. The 1973 legislature had established a commission to study both the ECE question and school finance problems. Although the Governor appointed himself to the group, its final recommendation--statewide kindergarten for all 5-year-olds with only limited attention to unusual needs--did not reflect the Governor's emphases.

In 1974, a symbolic victory for early childhood education was the passage of SB 672, which authorized the establishment of kindergartens for all 5-year-olds and for all physically, mentally and emotionally handicapped 3- and 4-year-olds as well as the perceptually or linguistically deficient. During this session, the SDE and SBE supported kindergarten for all 5-year-olds, phased in over a 5-year period, while the Governor sought only money for continuing programs for the handicapped.

Again, ECE reform might have gone no further, since no appropriations were made. However, the newly elected Governor Busbee garnered initially the support of CSSO Jack Nix, a consistent Carter opponent, and steered preschool funding through the 1975 legislature. Opposition again surfaced, along the same lines as it had in the previous legislative sessions. A compromise was adopted that included \$8 million for kindergartens for 5-year-olds, as well as full funding for special kindergartens for all physically, mentally and emotionally handicapped 5-year-olds.

In May, a special session cut out the \$8 million and pared back all education appropriations, but \$6 million for special kindergartens survived. Further ECE reforms are unlikely to be considered for several years, considering the unfavorable economic and political conditions.

PART THREE: COMPARATIVE CASE STUDY RESEARCH DESIGN

The investigation of ECE policy making was based on an extensive survey of state legislative initiatives and a systematic evaluation of them according to policy and political criteria. The final proposal, to study significant kindergarten legislation considered between 1971 and 1973 in West Virginia (1971), California (1972), New Mexico (1973), Ohio (1973), and Georgia (1973), recognized both fiscal limitations and the need to develop a conceptual framework for comparative analysis. One goal of the study was to develop a systematic approach to research that could be applied by other researchers.

Research Surveys of ECE Legislation (Chapter 10). The development of a methodology for selection and comparison was hampered by the lack of a conceptual foundation based on prior policy research. For the surveys of state ECE legislation, however, an inventory of legislation from 1970-1973 compiled by the Education Commission of the States (ECS), the only existing data base, was used.

After preliminary review of legislative initiatives, in October, 1973, Legislative Reference Services, SEAs, CSSOs, and OCD directors were contacted in every state where some ECE legislative activity had been reported. They validated the ECS inventory of legislative references and assisted in identifying additional citations. CSSOs in the remaining states were surveyed to confirm the lack of ECE policy activity. This data, our first-level introduction to ECE policy making at the state level, served as a basis for selection of five case studies. Each piece of legislation--280 were identified by our surveys--was then assigned an ECE policy designation based on its substantive content. The surveys identified five categories of ECE policy: (a) Primary/Elementary; (b) Kindergarten; (c) Preschool; (d) Early Development; and (e) Day Care. Section III of Chapter 10 is a detailed breakdown of legislative activity in all fifty states gleaned from the survey results. Attachments to the chapter provide examples of survey material used.

The primary purpose of the 50-state study was to identify current ECE policy activity in order to select a comparable sample of ECE legislation for the case studies. The surveys found that there had been a major upswing in ECE policy activity at the state level, evidenced by the seven-fold increase in legislative citations between 1970 and 1973 legislative sessions. Similarly, the number of states with ECE policy activity has grown steadily from 11 states in 1970 to 42 states in 1973.

Research Methodology (Chapter 11). The early surveys and policy categorization served as a foundation for the methodology selection criteria discussed in Chapter 11. The methodology developed identified two sets of criteria: three policy selection criteria forevaluating ECE legislation and

thirteen indicators of comparative state politics for highlighting the diverseness of our selected five states. The goal of the policy criteria was to identify a set of states with a common legislative output, one particular type of ECE legislation, as a basis for comparative analysis. While the surveys did turn up examples of all five categories of ECE outputs, only one option, kindergarten, fulfilled our three policy selection criteria-- comparability, significance and consideration.

Of the 69 kindergarten citations, we identified 15 examples of legislation for 5-year-olds that met our second and third criteria, i.e., significant initiatives that required a state commitment, either fiscally or by mandating ECE offerings for all children, and legislation that had received sufficient legislative attention to insure adequate documentation for careful research. The five tentative target states, chosen according to survey results and policy criteria, were then evaluated according to various indices of comparative state politics before being finally approved.

The case study methodology was carefully controlled, with key components of the case studies standardized in order to ensure primary investigation of the same issue. The study required on-site interviewing of critical actors in each state. A number of sources ranging from explicitly structured individual interviews to available written material were used to get as many viewpoints as possible about the course of each legislative reform. The final parts of the chapter are summaries of research techniques.

Chapter 12 is a selected bibliography.

Part One:

**An Historical Perspective on
Early Childhood Policy Making
In the Late Nineteenth Century**

Chapter 1:

The Emergence of a National
Compulsory Education Movement
In the Late Nineteenth Century

by

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Americans have always been concerned with the education of the young. Over the last three centuries this concern has been translated into a sprawling educational system through which almost the entire population must pass. This study probes the impetus behind the expansion of the system and examines some of the ways in which schooling grew. The focus is on the intellectual, social, economic, and political forces which combined to promote early childhood education.

I

Two important considerations must be kept in mind throughout. First, although we are concerned with the extension of formal education to the very young, many similarities in the way education spread and in the reasons for its growth exist for all age groups. With a critical eye fixed on the differences between early school entry and late school leaving ages, some important similarities will be suggested. Secondly, the two chief means by which institutionalized learning gained recruits was through attraction and compulsion. Many children and parents were impressed by the advantages advertised by early schools and sought to take advantage of them. Others, chiefly the poor, had to be persuaded and often forced to attend school. Although both compulsion and attraction produced attendance, the reason for school-going frequently lay somewhere between force and desire, in the myriad forces which shaped the demand for education.¹

Although school censuses and administrative records indicate surprisingly high rates of literacy and voluntary attendance, schooling was

¹Older versions of the growth of the American school system, such as Ellwood P. Cubberley's Public Education in the United States, celebrated the ability of schools to attract attendance. David Tyack's The One Best System (Cambridge, Massachusetts: Harvard University Press, 1974) and Michael Katz' Class, Bureaucracy and Schools (New York: Praeger Publishers, 1971) are two recent studies that balance the lure of education with the elements of coercion that were involved in expanding the school population.

a pasttime confined to a narrow slice of childhood. The average child of the late nineteenth century attended school for but a few months a year, usually only between the ages of eight and twelve. After age twelve, large numbers of children gravitated toward steady employment on the farms and in the factories. In the late nineteenth and early twentieth centuries, civic-minded reformers and prominent educators sought to reverse this current. They argued that strictly enforced compulsory attendance laws were needed to protect older children from the dangers of the street and industrial exploitation. Compulsory school attendance laws were enacted to provide the legal and strategic mechanisms for enforcing the compliance of the unwilling.²

At the same time that school leaving ages were being pushed upwards, schooling was also being offered to a younger audience. As with older children, where the young were not attracted to schools, it was suggested that they be compelled to attend.

Efforts to force young children into school did not take the form of a coherent social movement. Few people called directly for mandatory early age schooling. But through the varied forms of the campaign to extend education, direct and indirect pressure created a climate which at first emphasized the importance of early childhood education, and then demanded that because of its demonstrated worth, the child should benefit

²As Michael Katz had indicated, "compulsory education was for those unwilling to voluntarily partake of public education, and in lieu of reform schools," Class, Bureaucracy and Schools, 46. The most valuable sources on the relation between compulsory school attendance and child labor are Forest Ensign, Compulsory School Attendance and Child Labor (Iowa City, Iowa: Athens Press, 1921), Walter Trattner, Crusade for the Children. A History of the National Child Labor Committee and Child Labor Reform in America (Chicago: Quadrangle, 1970), and the voluminous publications of the National Child Labor Committee. Albert Fishlow, "Levels of Nineteenth Century Investment in Education," Journal of Economic History, 26 (December, 1966), 418-436.

it. Some saw the kindergarten as the vehicle to shape the behavior of a particular segment of the population. Others placed more emphasis on particular programs or methods rather than on the specific age group or population to which it was to be applied. In any case, the tone was usually one of urgency, the messages spoke of necessity. As early childhood education developed into the kindergarten movement, its value became linked to the perceived needs of the time and the idea of making it part of the required public education gained currency.³

II

The notion of requiring a certain quantity or type of education developed gradually during the course of American history. Colonial provisions for early education ranged from religious training to apprenticeship or skill training. In the nation's early history arrangements were largely informal, non-institutional, and voluntary. Children were not legally compelled to attend school, but early laws demanded that for civic and religious purposes they be able to read. After the thirteen colonies

³In his study on Pennsylvania politics and education, William Issel shows how kindergarten and compulsory school attendance legislation fit into an emerging ideology of social control: "Socialization for native middle class values (the social ideal type remained the middling, prosperous farmer), and Americanization thus became important goals in the ideology of schooling for state and society. If such socialization could become effective only if the schools could command and control the masses of school age children, then compulsory attendance legislation provided a means for such social control. If the important period for socialization began to be seen as the years from three to six, then kindergartens offered a means for pre-primary socialization. In 1880, Americanization, kindergartens, and compulsory attendance possessed the status of interesting but theoretical topics of discussion among Pennsylvania schoolmen. By 1911, all three had become a central part of both the ideology for educational change and the practice of innovating communities, and the advocates of change would seize upon the School Code of 1911 as a means of further establishing their ideology of education as social control," "For System and Order: The Ideology and Politics of Educational Change in Pennsylvania, 1880-1911," Unpublished Ph.D. dissertation, University of Pennsylvania, 1972 (?). Other examples emphasizing the importance of kindergarten for social and programmatic reform are found in William Hailman, "Adaptation

separated from England, colonial leaders looked to education to foster cohesion through the teaching of a national culture. Thomas Jefferson, Benjamin Rush and others advocated a minimum education to prepare the young for political as well as economic and spiritual life. Although they made no provisions for compulsory school attendance, American leaders sought to have all children receive the same basic education.⁴

With the introduction of infant schools in the nineteenth century, this type of mass, uniform education first became possible for an early age group. Although originally unsuccessful, infant schools did serve as models demonstrating the general applicability of early childhood education for the entire population, rich or poor.

The movement to formally educate the very young spread from Britain to the eastern United States. Infant schools were organized in northeastern cities and subscribed to as the latest in intellectual currents. Infant school societies, such as the one in Boston, realized popularity only as incompletely understood fads. At first the schools catered to the rich, but then were taken up as charitable institutions for the needy and dependent. After limited success in the 1830's, confusion over aims and

of Froebel's System of Education to American Institutions," National Education Association, Proceedings and Addresses 1872, 141-149; Sarah Cooper, "Organic Union of Kindergarten and Primary School," National Education Association, Proceedings and Addresses 1893, 336-342; J. W. Dickinson, "The Relation of the Kindergarten to the Primary School," National Education Association, Proceedings and Addresses 1895, 360-363.

⁴Lawrence Cremin's American Education: The Colonial Experience (New York: Harper & Row, 1970) provides the most comprehensive discussion of the forms of colonial education. Discussions of early attempts at compulsory education are found in Ensign, op. cit.; and Marcus Jernegan's articles "Compulsory Education in the American Colonies," School Review, 26 (December, 1918), 731-749; "Compulsory Education in the American Colonies," School Review, 27 (January, 1919), 24-43; "Compulsory Education in the Southern Colonies," School Review, 27 (January, 1919), 405-425; "Compulsory Education in the Southern Colonies," School Review, 28 (February, 1920), 127-142. David B. Tyack, (ed.), Turning Points in American Educational History (Waltham, Massachusetts: Blaisdell Pub., Co., 1968), 83-92.

fading financial support closed infant school doors. The late 19th century needs to assimilate a huge immigrant population, the fear of large scale civil disorders, and the idea of the educability of the very young were not yet important or sufficiently closely related to make early childhood education a broad-based, well-financed social concern. Though their tenure was brief, these infant schools broke ground for the acceptance of infant education and informed the public that early education could be for the children of the poor as well as those of the rich.⁵

When the movement for early childhood education regained popularity in the second half of the nineteenth century, European influence was again evident, but the idea of universality was not pronounced. Education of the very young emerged in the classroom as the kindergarten, a unique blend of European educational philosophy and American material values.

During the decade before the Civil War kindergartens were introduced into several large American cities. German immigrants, especially refugees from the revolutions of 1848, set up education for the very young in conjunction with bilingual elementary and grammar schools. The first American enterprize known as a kindergarten was established by Margaretha Meyer Schultz in Watertown, Wisconsin in 1855. Within the next decade kindergartens appeared in other areas of large German-American concentration, including New York, Detroit, Milwaukee and Louisville.⁶

⁵Maris A. Vinovskis and Dean May, "A Ray of Millenial Light. Early Education and Social Reform in the Infant School Movement in Massachusetts, 1826-1840," Preliminary version of a paper presented April 22, 1972 at the Clark University Conference on Family and Social Structure.

⁶Nina C. Vandewalker, The Kindergarten in American Education (New York: The MacMillan Company, 1908), 12-14.

In the 1860's, the kindergarten moved out of the German community and into middle and upper class American neighborhoods. Through Margaretha Schultz, Elizabeth Palmer Peabody, the most well known of kindergarten pioneers, became involved in the early childhood education movement. These early kindergartners aimed at an intentionally small audience. Their schools were private, with well-to-do clients paying for the privilege of enrolling their children.⁷

The massive immigrations of the late nineteenth century changed the pattern of American infant education. Even before the re-discovery of poverty in the 1880's and 1890's, kindergarten had been primarily an urban institution. With the exposure of grinding poverty, hunger and disease in immigrant-over-crowded cities, civic reformers saw in an "indigenous" institution one more way to deal with unsettling social influences. The proper education of young children could shape the future and effect the present. While preparing for their roles in tomorrow's society, small children could carry the message of the reformers to help educate their parents, the rest of their families and perhaps the entire neighborhoods.⁸

As educators sought to wield schooling in the cause of social reform, free public kindergartens were aimed specifically at the lower classes. Not only were exclusionary policies abandoned, but the lessons of early childhood education--now designed for the poor--were considered so invaluable that school people and others concerned with social problems began demanding daily school attendance. Thus kindergarten came to be viewed

⁷Vandewalker, op. cit., 12-19; Marvin Lazerson, "Urban Reform and the Schools: Kindergartens in Massachusetts, 1870-1915," History of Education Quarterly, 11 (Summer, 1971), 115-142.

⁸Vandewalker, op. cit., 12-13, 19-20; Marvin Lazerson, Origins of the Urban School. Public Education in Massachusetts, 1870-1915 (Cambridge, Massachusetts: Harvard University Press, 1971), 49-51.

not as an imported educational system, but as an agency particularly suited to deal with peculiarly American problems--the homogenization of an increasingly pluralistic population.⁹

Two other events further transformed the image of kindergarten in the popular mind to an institution adapted to American conditions and American needs. In Boston (1868), Washington (1872), and New York (1872) teacher training institutes began instruction in kindergarten teaching. The training of early childhood educators helped create among professionals a demand for kindergartens and a concern with kindergarten attendance. The 1876 Centennial Exposition at Philadelphia proved another milestone in the acceptance of the kindergarten. Both professional and lay people were deeply impressed by the kindergarten display. Ruth Burritt, a Wisconsin teacher demonstrated to scores of people who visited her model kindergarten the feasibility and virtues of institutionalized infant education. Burritt was so successful that she stayed on in Philadelphia to open both a kindergarten and a kindergarten training school.¹⁰

III

Changing ideas on the nature of childhood, as well as material forces and historical events, provided support for the demand that young children be educated. Three main currents of thought pushed the infant toward the schoolroom: from Europe the ideas of Pestalozzi and Froebel were carried across the ocean and reinterpreted; within the states, the conception of

⁹Issell, *op. cit.*; Lazerson, *Origins of the Urban School*, 45-56; Agnes Snyder, *Dauntless Women in Childhood Education, 1856-1931* (Washington, D.C.: Association for Childhood Education International, 1972), 101-109. It was cause for concern when pupils left class or failed to show up; or, on the other hand, when the facilities limited potential attendance.

¹⁰Vandewalker, *op. cit.*, 9, 18, 17-19.

of the child grew from passive to active, from redeemable to redeemer; and, drawing heavily on both foreign and domestic sources, the child study movement provided rationale and means for extending education downward, aggrandizing much of the family's old sphere of influence.

The message from Europe was twofold: change the content and lower the age of the clientele. Pestalozzi proposed educating a younger class of children by using methods that differed from standard educational practices. He proposed using familiar objects from the child's environment and pictorial representations of less familiar objects. Froebel advanced the new conception of early childhood education with a theory of individual development through experiential self-activity, especially play. Like his mentor Pestalozzi, he stressed the importance of knowledge of one's surroundings as a way to achieve harmony with the environment. As the nature of kindergarten changed, these principles were often ignored or honored in the breach. By the time that pressure had mounted for kindergarten to be adopted as part of the compulsory school program, Pestalozzi's anti-institutionalism and stress on education through the family and Froebel's emphasis on individual development had been largely abandoned.¹¹

European educators, like later American childhood educators, saw their environment as corrupt and potentially injurious to children. Individual development and education within the family helped counter negative societal influences. But while the earlier European theorists proposed isolating the child, the Americans ultimately turned to educating the child to perform within society, thus reinforcing social trends which they condemned.

¹¹As Marvin Lazerson shows in Origins of the Urban School, 36-73, the emphasis had switched away from the focus on individual development, towards a concentration on social integration, cooperation and assimilation within an institutional context. For other examples of this change in direction see footnotes #3 and #20, Chapter 2.

The shifting popular conception of American childhood facilitated this reinterpretation of European educational ideas. The pre-Civil War child had to be guarded from physical and moral dangers surrounding him. But later in the nineteenth century, fear for the child's damnation was replaced by hope that the child would actually be instrumental in saving society. As Bernard Wisby has shown, the concept of child as social redeemer became a central theme in children's literature. The future of the nation became inextricably bound up with the future of its youth. If the child was not invested with the positive powers of healing--a nation sick from war and political corruption--he or she was at least not a helpless sinner predestined to undermine the social order. This meant that the child had the potential to revitalize and shape the evolving society. All that was wanting was an efficient training system to prepare him for whatever role best suited society.¹²

The child study movement which grew up at this time offered rationalization for such a system. Child study support for early childhood education was influential because it purported to be scientific. Assisted by kindergarten teachers using the latest in methodology, child studiers conducted tests which showed startling gaps in what they believed young people should know. Undaunted, they claimed that diligent application of educational proposals could remedy the situation. Their evidence of the child's tractability merely reinforced the potential importance of his future role. Discarding the moral labels that conditioned earlier attitudes toward childhood education, child study proponents adopted the

¹²Bernard Wisby, The Child and the Republic. The Dawn of Modern American Child Nurture (Philadelphia: University of Pennsylvania Press, 1968).

"scientific" view of the child's power as "simply neutral and to be used to best advantage."¹³

G. Stanley Hall, the moving spirit of the child study movement, subscribed to Froebel's views on the development of youth. His experiments during the 1880's in Boston, most notably his work with young people, were used to demonstrate the need for kindergarten. Actually, Hall's famous tests of the contents of children's minds showed that urban children were unfamiliar with the rural environment in which earlier generations had been raised. To Hall and his followers this was a shortcoming to be corrected by revising the curriculum and extending it to younger subjects. Hall believed that the school should adapt to the stages of the child's growth, and kindergarten was vital to this adaptation. According to Hall this type of early childhood education must be incorporated into the existing system of mass public education.¹⁴

In the wake of the widespread publicity Hall generated, child study clubs, associations and circles organized nationally. Hall himself became an active advocate of kindergarten and the new methods of education. His efforts led to the establishment in 1893 of the NEA's Department of Child Study which subsequently provided support for requiring early childhood

¹³Charles Strickland and Charles Burgess, (ed.s), Health, Growth, and Heredity. G. Stanley Hall on Natural Education (New York: Teachers College Press, Columbia University, Classics in Education #23, 1965), 12-26; Wishy, op. cit.; Wilbur H. Dutton, "The Child Study Movement in America from Its Origin (1880) to the Organization of the Progressive Education Association (1920)," Unpublished Ph.D. dissertation, Stanford University, 1945.

¹⁴Burgess and Strickland, op. cit., 12-20, 69-136; Lazerson, Origins of the Urban School, 41-45.

school attendance. But even Hall was left behind by the rapidly developing kindergarten movement. As educators were developing a program to fit all American children into school and society, Hall was suggesting more natural activities for young children.¹⁵

IV

The scientific study of childhood, along with changing conceptions of youth and European educational philosophies provided the ideological underpinnings for the expansion of early childhood education. None of these ideas directly called for compulsory school attendance. But together they did provide impetus and justification for extending education, which combined with urgent social conditions created a demand for increasing attendance.

It is ironic that one of the ways in which the late nineteenth century immigrant problem was dealt with was with a practice of an earlier immigrant generation. At about the same time that German immigrants were founding kindergartens in the United States, between 1850 and 1875, individual states began legislating another German practice: compulsory schooling. American state governments already required the establishment of public schools. By the last half of the nineteenth century, leading educators and politicians were calling for compulsory attendance. Many of these same people were also instrumental in the spread of kindergartens, combining their views on universal education with their backing of early childhood

¹⁵Burgess and Strickland, op. cit., 12-24; Lazerson, Origins of the Urban School, 44-45; G. Stanley Hall, "Recent Advances in Child Study," National Education Association, Proceedings and Addresses 1908, 948-952.

education.¹⁶

Like the kindergarten movement, compulsory school attendance laws were first established in the east and were principally an urban-oriented innovation. Massachusetts, Connecticut, New York, California and Michigan, states with large urban populations were all leaders in the kindergarten movement and also among the first to legislate forced schooling. The first compulsion laws, like the first kindergartens, affected few. It was only with the turn of the century social pressures that compulsory attendance laws began to take wide effect--in the cities and on the poor. As with kindergartens, compulsory schooling came to target the urban poor.¹⁷

Unlike the kindergarten movement, compulsion was directed primarily at extending schooling by raising the school leaving age. Most arguments to keep children in school were attempts to restrict child labor. But even here similarities exist. Many parents needed the income produced by working children, while others desired for their children the tangible lessons in skill-training and cooperation that work provided. Just as compulsion superimposed the authority of the state over the wishes of the parent, likewise did the kindergarten frequently circumscribe the parents jurisdiction.

¹⁶Superintendent of Common Schools of San Francisco, Twenty-Seventh Annual Report of the Superintendent of Public Schools of San Francisco 1880 (San Francisco: W. M. Hinton & Co., 1880), 361-364; Felix Adler, "Annual Address of the Chairman of the National Child Labor Committee" in National Child Labor Committee, Child Employing Industries. Proceedings of the Sixth Annual Conference. (New York: American Academy of Political and Social Science, 1910), 1-6; Felix Adler, "Child Labor in the United States and its Great Attendant Evils," American Academy of Political and Social Science, Annals XXV (May, 1905), 417-429; Felix Adler, "National Aid to Education" in National Child Labor Committee, Child Labor and Education (New York: National Child Labor Committee, 1912); Agnes Snyder, Dauntless Women in Childhood Education, 1856-1931 (Washington, D.C.: Association for Childhood Education International, 1972), 100; Jane Addams, Twenty Years at Hullhouse.

¹⁷Vandewalker, op. cit.; Issel, op. cit.; Lazerson, op. cit., 45-56; Ensign, op. cit.

The attempt of the educational system to mold the child regardless of parental desires characterized both movements. In their enthusiasm to right social and moral wrongs, kindergartners often lost sight of traditional principles of self-determination and parental rights. As Justine Stearns wrote in the Kindergarten Review, "It is no longer believed that even the actual mother can instinctively guide aright her children's development." Thus kindergartners stepped in, to influence and even direct the course of urban childhood.¹⁸

"The ideology of the early kindergarten movement," wrote Marvin Lazerson, "emphasized above all, its universality." As the campaign for kindergartens grew, it attempted to implement this ideology. Although no national legislation has ever been passed establishing compulsory kindergarten attendance, a constant theme of early childhood educators has been the demand for the inclusion of kindergarten within the established compulsory public school system. I will attempt to describe the history of this theme, the parallel development and interrelationship between compulsory school attendance and early childhood education, by focusing in the next chapter on a case study of the state and local levels where both types of legislation originated and were implemented.¹⁹

¹⁸Justine Stearns, "Another Opportunity for Kindergartners," Kindergarten Review, 8 (March, 1898), 481-482; Ensign, op. cit.; Lazerson, Origins of the Urban School, 36-73.

¹⁹Lazerson, Origins of the Urban School, 45.

Chapter 2:
The California Kindergarten Story

by

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The development of early childhood education in California was typical of the rise of infant education throughout the country. Refugees from the mid-eighteenth century European revolutions and missionaries of Pestalozzi and Froebel spread new educational ideas from their own communities to larger domestic audiences. Kindergartens were established by these immigrants and aimed at the middle and upper classes.

I

California's first kindergarten opened in September 10, 1863. The kindergarten, organized by Professor and Mrs. Charles Miel, emphasized the teaching of foreign language, became an "Advanced School for Young Ladies, together with a kindergarten," and ended up as a French and German institute. In August of 1870, Mrs. G. M. Blake of Oakland opened a kindergarten department in her seminary for young ladies. Later that year, Miss E. E. Smith started yet another kindergarten in Oakland. Both Smith and Blake charged tuition for the wisdom they imparted. Other California infant schools of the 1860's and 1870's followed the pattern of foreign language curriculum and exclusionary attendance policy based on tuition.¹

Although these attempts at institutionalizing early childhood education were sporadic and the clientele was restricted by financial ability, public school teachers, administrators, and educational organizers were quick to back the kindergarten idea. Support came from both national and local levels. Many educators hoped not merely to spread the practice of early childhood education, but to make institutionalized infant education

¹Among these were Mrs. E. C. Head's French and English School for Children 4-6, Mrs. Young's kindergarten in Blake House, Oakland and Mrs. Hetta Semlar's kindergarten in San Francisco, which specialized in German instruction. William W. Ferrier, Ninety Years of Education in California, 1846-1936, (Berkeley, California: Sather Gate Book Shop, 1937), 163-165.

universal. It was seen by some as an excellent preparation for the common school, by others as a special nutritive environment for the very young.²

A series of articles written by the United States Commissioner of Education and reprinted for the west coast in the California Teacher publicized the kindergarten movement in the early 1870's. Already the feasibility of incorporating the kindergarten into the public school was being investigated. On the national level a National Education Association report of 1872 analyzed kindergarten's adaptability as a potential part of the school system. Within California the annual reports of the superintendents of schools suggested selective adoption of the techniques of early childhood education. Former State Superintendent of Schools John Swett campaigned for public kindergarten from the outset. But as educational leaders were enthusiastically supporting early childhood programs, the more conservative state legislature, dominated by rural areas, was wary in responding to what were deemed peculiarly urban problems. Despite oratorical pleas, legislative proposals and court suits throughout the late nineteenth and early twentieth centuries, the state government consistently refused to allow the expenditure of state funds for kindergartens.³

² Marvin Lazerson, "Urban Reform and the Schools" Kindergartens in Massachusetts, 1870-1915," History of Education Quarterly XI (Summer, 1971), 115-142.

³ Beginning in the 1870's and continuing in the twentieth century, educators and reformers sought to merge the kindergarten with public school. From a variety of sources--local, state and national--came the call to include kindergarten in the standardized system of universal education. The Sixth Biennial Report of the Superintendent of Public Instruction of the State of California (Sacramento, California: G. H. Springer State Printer, 1875), 112-119, claimed that "The opinion is gradually gaining ground that our common school education would be materially benefited, if not perfected, by the introduction of the kindergarten system." Ada Van Stone Harris summed up the message of the National Society for the Scientific Study of Education's Sixth Yearbook papers on "The Kindergarten and Its Relation to Elementary Education," (Chicago: University of Chicago Press, 1907), 1-138. "The principles

Undiscouraged educational boosters did not limit their campaign for financial backing to public auspices. If state government was reluctant to dispense public funds for educational experimentation, other sources proved more responsive. The philanthropy of emergent capitalists was actively and successfully recruited.

II

One of the people instrumental in gaining financial support for early childhood education was Felix Adler. Adler's efforts on behalf of social and moral reform were Herculean. Besides religious and charity work, he was a leader in the drive to extend compulsory schooling, urging higher school leaving ages and lower school entrance ages. Adler felt that the positive lessons of school could combat the evil influences of the slum. So strong was his belief in the moral and social healing power of education, that he left little room for doubt or disagreement: "Here is a reform upon which we can agree, which must appeal to every right thinking person, and which is urgent." Perhaps it was this urgency which led him to advocate an education that was both universal and mandatory.

Toward these ends, Adler had established several very successful public kindergartens in the New York slums. In 1878, the future President of the National Child Labor Committee, founder of the Society for Ethical Culture, and professor at Columbia and Berlin made a cross-country speaking tour in behalf of childhood education. His stop in San Francisco was quite

which underlie the kindergarten work," she said, "are universal, fundamental, and absolutely a part of all that is good in educational processes from the beginning...It exists that the child, every child, may have life and have it more abundantly; that the community may be elevated, the race improved." (page 9). William N. Hailmann, "Adaptation of Froebel's System to American Institutions," National Education Association, Journal of Proceedings and Addresses, 1872, pp. 141-147; Twelfth Annual Report of the Golden Gate Kindergarten Association, 1891, p. 50; Ferrier, Op. cit., 166-7; Roy W. Cloud, Education in California, (Stanford, California: Stanford University Press, 1952).

well received.⁴

There were two aspects to Felix Adler's kindergarten campaign. His public speech warned of the "evil of pauperism" which had created the social question threatening Europe--the specter of class warfare. The "spirit of preventive charity" was necessary "to prevent it from becoming a menace to our republican institutions." But instead of recruiting aid through those republican institutions which it was vital to defend, Adler took a second route to secure support. He went privately to men and women of wealth for contributions. As Sarah Cooper recalls, "This was not difficult to do; for men of thought see in such work the future good of the commonwealth; they see in it the only sure prevention of pauperism and crime." In the threatening social and economic milieu of the late nineteenth century, education was not an end, but an instrumentality.⁵

The funds raised from Adler's efforts financed the beginning of public kindergartens in California. The Public Kindergarten Society of San Francisco was formed, the Silver Street kindergarten was opened, and Kate Douglas Smith, who later gained national prominence as the author Kate Wiggin, was recruited to teach.⁶

⁴Superintendent of Common Schools of San Francisco, Twenty-Seventh Annual Report of the Superintendent of Public Schools of San Francisco, 1880 (San Francisco: W. M. Hinton & Co., 1880), 361-362; Felix Adler, "Annual Address of the Chairman of the National Child Labor Committee" in National Child Labor Committee, Child Employing Industries. Proceedings of the Sixth Annual Conference. (New York: American Academy of Political and Social Science, 1910), 1-6; Felix Adler, "Child Labor in the United States and its Great Attendant Evils," American Academy of Political and Social Science, Annals XXV (May, 1905), 417-429; Felix Adler, "National Aid to Education" in National Child Labor Committee, Child Labor and Education (New York, National Child Labor Committee, 1912); Agnes Snyder, Dauntless Women in Childhood Education, 1856-1931 (Washington, D.C.: Association for Childhood Education International, 1972), 100.

⁵Superintendent of Common Schools of San Francisco, op. cit., 361; Ferrier, op. cit., 168-169.

⁶Ibid.

The Silver Street kindergarten reflected the new emphasis in early childhood education. California's first free kindergarten was located in San Francisco's notorious Tar Flat district. The area was reputed to be the worst section of the city, worse even than the infamous Barbary Coast, where "there is more crime...but less degradation." "On Tar Flat, on the contrary, the life is sodden and aimless; the children are often born of drunken mothers, and show deformities and mental deficiency and inherited diseases. The kindergarten teachers in their visiting sometimes find mothers helpless with drink and prone on the floor." It was not only the children, but these mothers and families that kindergarteners hoped to reach.⁷

Smith's efforts to educate the children were selfless, but often met resistance. The children themselves were rebellious and frequently left her in tears. Often they left her in the middle of class. "Young children streaking up the street with kindergarten teachers and monitors in hot pursuit was a common sight. It was no wonder that the parents referred to Smith and her fellow kindergartners as "Kid's Guards."⁸

Smith's most notable convert was not a client, but a patron. In 1879, on the recommendation of the superintendent of schools, John Swett, Sarah B. Cooper visited the Silver Street kindergarten. According to Miss Smith's account: "In the spring of 1879, we welcomed one day for the first time a most sweet-faced woman whose sympathy was evident before she had been in the room ten minutes. It was not much longer than that before she

⁷The Overland Mail, 1889, as quoted in Ferrier, op. cit., 170; Superintendent of Common Schools of San Francisco, op. cit., 361-362; Snyder, op. cit., 104-105.

⁸Snyder, op. cit., 102-103.

turned, with tears in her eyes, and clasping me by the hand, said: "Why did I not know of this work before? Why did nobody tell me? It is the most beautiful thing I ever saw. Let me help you from this moment."⁹

By October 6, 1879, Cooper had persuaded her adult Bible class at Calvary Church to support her in establishing a kindergarten at 116 Jackson Street, in the Barbary Coast neighborhood and in an association for its maintenance--the Jackson Street Kindergarten Association. But Mrs. Cooper's self-described "work of faith in God and good people" was attacked by her own parishoners. For disgruntled congregation members who did not subscribe to progressive ideas of education, the value of social reform did not compensate for the lack of religious content. A deacon of Cooper's own church charged her with heresy. At the public trial which ensued, Cooper and her conception of education for social change triumphed.¹⁰

Sarah Cooper's educational ideas also found a receptive audience in the civic-minded elites who contributed to the San Francisco kindergartens. Amidst the mounting urban chaos of labor violence, economic dislocation, increasingly undesirable immigration, and pervasive crime, kindergarten propaganda promised to deal with the most threatening source of urban unrest--the poor. Thus it was that the earliest public kindergartens were in the lowest class areas, such as Tar Flats or the Barbary Coast, and had social change as their goal.¹¹

⁹Ferrier, op. cit., 169.

¹⁰Snyder, op. cit., 104-105.

¹¹Superintendent of Common Schools of San Francisco, op. cit., 360-368; Annual Reports of the Golden Gate Kindergarten Association, 1880-1894.

III

The more far-sighted goals that kindergarteners set for themselves included addressing the causes of social problems. Concerned educators sought ways to uplift the downtrodden. According to their analysis, "the inability and lack of ambition to do anything really well" were the true causes of poverty and suffering. Operating on this premise, sincere and well-meaning kindergarten proponents sought to educate the poor. The introduction of early childhood education would give the young a chance to do their best and thus encourage ambition. But the best that was to be offered the poor kindergarten pupils was a simple manual skill.

Educational reformers probed the causes of political unrest and came up with a cure that reflected their own ideology and professional interests. Discord between the classes would be erased through the generous endowment of kindergartens: "When affluence stoops benigantly to lift the sorrows of the poor...then will cease to be heard the clamoring cry of Agrarianism and Nihilism."¹²

Yet for all their concern over the causes of social problems, kindergarteners mainly set to dealing with the effects. The manifestation of disorder that kindergarteners most frequently advertised themselves as dealing with was crime, the index of social unrest. The most common theme in kindergarten literature was that school would save the child from becoming a criminal. "The very design of the kindergarten system," claimed Sarah Cooper, "is to prevent criminal development." But if the child was to be "saved", it was not only for her or his own sake, but for the safety of the social elements that he or she might threaten. Thus children were taught to respect the rights and property of others, while their ability to control their own lives was undermined by circumscribed

¹² Golden Gate Kindergarten Association, Twelfth Annual Report, 1891, 54-55.

decision-making which fostered dependence.¹³

In addition to being explicitly taught to obey the law, the child was given directed experience in self-control. "Obedience is exacted to the letter, but the method of securing it is not through beating the quivering flesh of the little child." In times of changing attitude toward the young, teaching self-regulating internal control proved both effective and popular.¹⁴

A dozen years after these goals and methods had been set forth, kindergarteners claimed astonishing success. Of nearly nine thousand children trained, an intensive investigation by the Golden Gate Kindergarten Association discovered only a single arrest for criminal violation of the law. Perhaps an even more accurate testimony to effectiveness and popularity was the financial support of the financial community and the steadily increasing enrollment.¹⁵

Instilling the proper attitude in the child was important for both the future and the present. Education could help reduce the juvenile delinquency that plagued urban life. To others it seemed impossible even to curb the overwhelming social forces that threatened the moment. Kindergarten was to them an attempt to control the future. "It is hard work--almost hopeless--to straighten out gnarled and crooked old trees. It is delightful work to look after the growing twigs, for we know, that, 'just as the twig is bent, the tree's inclined'". In the same vein, a wealthy San Francisco kindergarten benefactor saw his involvement in material terms. "I consider it an investment for my children," he told Sarah Cooper.

¹³Golden Gate Kindergarten Association, First Annual Report, 1879, 14, 13-14; "Current Opinion" Kindergarten News, V (January, 1895), 32.

¹⁴Ibid.

¹⁵Golden Gate Kindergarten Association, Twelfth Annual Report, 1891, 71.

"I would rather give liberally to educate these children, than to have my own children taxed ten times that amount, by and by, to sustain prisons and penitentiaries."¹⁶

The idea that early intervention paralleled more extreme later intervention again revealed the conception that education was merely an instrument which could be used to promote a stable, if inequitable society. A material rationale also moved some of the more present-minded supporters. Businessmen claimed that local kindergartens made neighborhoods safer from vandalism. After all, kindergarten pupils were taught to respect property. Educators at the national level, like Josephine Carson Locke of the Cook County Normal School, promoted this connection between early childhood education and financial interests. "Show me any influence that touches more nearly the right adjustment of labor and capital," demanded Locke in her "Report on Kindergarten" to the 1890 gathering of the National Education Association.¹⁷

Kindergarten also offered immediate results in the way it effected the child's family. Educators and supporters realized their powers of intervention into the homes of the poor. They saw their penetration into households as a social responsibility. To kindergarten benefactors well-ordered households meant a strong nation and a prosperous community through social order. The kindergarteners often found themselves wielding considerable influence as a result of their position. They dispensed advice to perplexed mothers, helped settle family disputes, cared for the sick, and

¹⁶Ibid., 19-20, 28, 99, 99-100.

¹⁷Golden Gate Kindergarten Association, Twelfth Annual Report, 1891, 19-20, 28, 99, 99-100; Josephine Carson Locke, "Report on Kindergarten Exhibits at St. Paul", National Education Association, Proceedings and Addresses, 1890, 68.

even prepared burial for the children. These teachers mediated the outside world to poor and immigrant families, helped make important decisions in people's lives and served as behavioral models for both young and old.¹⁸

But ultimately the most effective far-reaching type of intervention was removing the children from the aegis of the family to that of the school. By making this type of intervention their policy--regardless of the expressed wishes of children or parents--kindergarten organizations endorsed compulsory early childhood education. According to the Golden Gate Kindergarten Association, "The state begins too late when it permits the child to enter the public school at six years of age." The Association demanded that all young children be brought under kindergarten influence. Schools were often over crowded and forced to turn away applicants, but educational crusaders still sought to extend schooling beyond their voluntary audience, to make it universal, and, in effect, compulsory. "The parents of children, more particularly in the large cities, should be compelled by law to care for the education of their little ones," was the message carried by kindergarten publications. Although the poor were the overwhelming objects of concern, the kindergarteners felt that even the children of the wealthy should learn in kindergartens. But whether or not they would or could be compelled to attend with any more regularity than the poor was open to question.¹⁹

IV

Appeals for enforced attendance reflected the policy of kindergarten

¹⁸Golden Gate Kindergarten Association, Twelfth Annual Report, 1891, 21; Ferrier, op. cit., 173. Lazerson, Origins of the Urban School, 36-73.

¹⁹Golden Gate Kindergarten Association, First Annual Report, 1879, 14; Golden Gate Kindergarten Association, Twelfth Annual Report, 1891, 94, 66; Golden Gate Kindergarten Association, Fourteenth Annual Report, 1893, 52.

organizations. But outside of actual government legislation there was no way the policy of private individuals and organizations could be translated into official, enforceable public practice. By the late nineteenth century over one-third of the states, including California, had very broad but unenforced compulsory school attendance laws. Most of this legislation was an attempt to deal with older children, and ignored the kindergarten population of children aged three to six. The minimum compulsory school age of eight in California was typical. The only ways to legally enforce kindergarten attendance were to pass new laws stipulating mandatory kindergarten appearances or to incorporate some form of early childhood education into the existing school system. Kindergarten movers generally pursued the latter course. They sought to stretch the lower age provisions of school law to include kindergartens by pushing kindergartens into the established compulsory public school system.²⁰

From the inception of public kindergartens in California, proponents attempted to merge them with the public schools. When the Jackson Street kindergarten opened, it could not accomodate all the children who showed up. By limiting enrollment to those under five years of age, the directors created a pool of children between kindergarten and elementary school ages. Kindergarten advocates led by Sarah Cooper then formed this group into a "receiving class." Temporary accomodation was secured for them, rent free, for four months. Equipment was provided without cost by John Swett, who was at the time principal of the San Francisco Girls' High School. Since

²⁰As the national forum on educational policy, the National Education Association reflected the concern with this issue. Between 1870 and 1920 dozens of speeches, discussions and resolutions by such educational luminaries as William Torrey Harris and Andrew S. Draper proposed and justified the union of kindergarten with primary school, National Education Association, Addresses and Proceedings; 1870-1920. See also, footnote #3.

Girls' High was training teacher, Swett arranged to have his normal class trainees practice on the receiving class. Future teachers gained valuable experience while the receiving class was provided another free service.²¹

As the receiving class became enmeshed in the public school apparatus, a committee was appointed by the Public Kindergarten Society to investigate for the school board the feasibility of merging kindergartens into the public school system. On February 27, 1880, the board of education convoked a special night meeting at city hall to hear the findings of this committee. At the meeting, businessmen, philanthropists, educators (including Kate Smith), and other professionals argued that the kindergarten was the best available method for training youth and demanded that it be incorporated into the public school system. By May 24, a special board of education committee had investigated and concurred. The unofficial ties that John Swett and Sarah Cooper had woven were tightened and officially recognized. The school board assumed financial support of the experimental kindergarten class, including rent and a salaried kindergarten teacher.²²

During the 1880's kindergarten backers' demands for public school incorporation subsided as a steady increase of private donations and subscriptions underwrote a decade of growth. Through this expansion kindergarteners hoped to reach the entire child population.

The first part of the private sector to respond were individual philanthropists such as Phoebe Apperson Hearst and Jane Lathrop Stanford, who in addition to regular contributions made additional gifts ranging from a few thousand to \$100,000. Hearst and Stanford were directly responsible for the establishment of over a dozen kindergartens, and lent aid and

²¹ Superintendent of the Common Schools of San Francisco, op. cit., 361-364.

²² Ibid., 362-364.

encouraged support for many others.²³

Although at first conservative in their response, the business community was also soon won over. In 1884, the San Francisco Produce Exchange became the only known commercial organization in the nation to support a free kindergarten. By 1891, real estate, attorneys, insurance, and other financial interests had joined in contributing to infant schools. The financial community's support reaffirmed the kindergarteners claims that "every dollars worth of property in San Francisco is interested in the moral training which the neglected children receive in our free kindergartens."²⁴

The largess of private individual gifts, bequests and subscriptions brought education to a wider audience. Beginning in 1880 with two kindergartens enrolling 109 students, there were by 1890 over 2000 students in twenty-four kindergartens. Within two more years, over 3000 pupils attended 35 kindergartens. Until this time Golden Gate Kindergarten Association receipts--depending exclusively on private contribution--had increased every year, making increased enrollment possible.²⁵

V

But the economic crisis of the 1890's and the death of Sarah Cooper in 1896 marked significant changes in the organization and sources of financial support of the kindergarten movement. Although a few large donors maintained their contributions, the total receipts and expenditures for Golden Gate Kindergartens declined for the first time in 1893, and

²³Snyder, op. cit., 105-106; International Kindergarten Union, 275-276.

²⁴Golden Gate Kindergarten Association, Twelfth Annual Report, 1891, 75, 39.

²⁵Golden Gate Kindergarten Association, Thirteenth Annual Report, 1892, 19.

again more dramatically in 1894. The sense of apprehension expressed in kindergarten publications was well-justified for by 1897 total disbursements had dropped off over 30 per cent.²⁶

Concerned kindergarteners renewed efforts to gain government support. Their public campaign was both local and statewide. Local support was won through flexible town charters which allowed kindergartens to be incorporated into the school systems. Thus some towns adopted kindergarten before state legislation made it available throughout the state. In 1891 Los Angeles became the first city to take advantage of this. But it was not until 1895 that official recognition was conferred, when the California State Supreme Court ruled that a city board of education had the right to establish and pay kindergarten teachers as part of the primary school.²⁷

This decision provided the impetus for a new surge of kindergarten growth which paralleled the progressive reform movement. In the late 1890's and early twentieth century kindergarten merged with the educational reform wing of progressivism. The shift in financial support was one indication of this trend. As with a number of other important institutional changes, middle and upper class reformers now called for kindergartens at public expense to expand their base of fiscal support from private benefaction. As separate localities which had once shown hostility or apathy toward early childhood education came under the centralized political control of reform-minded officials, the "public" interest in kindergartens within these areas increased. Although the San Francisco public experimental

²⁶Golden Gate Kindergarten Association, Eightieth Annual Report, 1879-1959.

²⁷Ferrier, op. cit., 174-175; Lee S. Dolson, "The Administration of the San Francisco Public Schools, 1847 to 1947," Unpublished Ph.D. dissertation, University of California, Berkeley, 1964, p. 285.

kindergarten had died from neglect in the 1880's, the city's progressive Mayor Adolph Sutro sought public tax support for the kindergarten soon after the California Supreme Court's favorable ruling.²⁸

As with the entire progressive movement, kindergarten reforms were gradual. But by 1915, under the leadership and lobbying of the California Congress of Mothers and other progressive groups, a bill was finally passed establishing kindergartens in public schools by petition, supported by local taxes.²⁹

If the structural apparatus of the kindergarten movement could be considered subsumed by turn of century progressivism, kindergarten curriculum was progressivism of an earlier vintage. Kindergarten teaching reflected both the liberal attitudes of European educational philosophers and changing concepts of American childhood. The methods and ideology of this "ideal extension of motherhood" proved popular with educators and reformers across the country. By 1900 the National Education Association had issued three resolutions, endorsed one general committee report and heard dozens of other recommendations on the merging of kindergartens with the public schools. Most of these suggestions were based on the value ascribed to kindergarten curriculum. The kindergarten lobby claimed that "the spirit of love, the spirit of freedom, and the spirit of activity" which characterized the kindergarten were vital to all stages of education. Their claims were recognized some time before kindergartens were physically incorporated into public school systems. Common schools adopted kindergarten techniques and teachings throughout the last decades of the nine-

²⁸Dolson, *op. cit.*, 285.

²⁹California State Legislature, 1915, Senate Bill 809; Ferrier, *op. cit.*, 174; Cloud, *op. cit.*, 124.

teenth century. "These principles have influenced the work in schools and colleges even where the kindergarten itself is not recognized," proclaimed James L. Hughes, Inspector of Schools for Toronto. From Newark, New Jersey to Evanston, Illinois to San Francisco, California the lessons and spirit of kindergarten--from cutting, pasting and coloring to encouraging cooperation in play and natural, yet controlled growth--found their way into the public school system.

Thus through the promotional and professional activities of reform-minded educators and organizations by the early twentieth century early childhood education in the form of kindergarten had been extended in theory and practice into the lower primary grades and beyond to a pre-school public. This extension of formal schooling was both by attraction and compulsion. Kindergarten curriculum was incorporated into the compulsory school system. At the same time states like California began to offer publically supported kindergartens, affiliated with community school systems.

SUMMARY OF RATIONALES

Historical Perspective on ECE Policy Making in the Late Nineteenth Century.

The threatening economic and social milieu of the late 19th century created a climate of acceptance of early childhood education, particularly in urban areas overcrowded with immigrants. The kindergarten movement was viewed as a means of achieving the goal of social change. It was affected by: a growing body of "scientific" child studies, especially G. Stanley Hall's, which generally supported early childhood education; European educational philosophies of Pestalozzi and Froebel that were reinterpreted when they crossed the ocean; and the influence of educators who advocated the universality of the early

kindergarten movement, i.e., its inclusion within the established compulsory public school system.

During three centuries of early childhood education experimentation, kindergarten had been offered as an opportunity for the very wealthy or for the indigent. As the concept of the child in society changed in the second half of the 19th century from passive to active, from redeemable to redeemer, kindergarten came to be viewed as an agency particularly suited to deal with peculiarly American problems--the homogenization of an increasingly pluralistic population. The greater social good was considered adequate justification for overstepping parental jurisdiction. By the late 19th century both the kindergarten and compulsory school attendance movements were targeted on the urban poor.

As the California Kindergarten Story indicated, many educators in the late 19th century hoped to institutionalize infant education as an excellent preparation for the common school, i.e., first grade. Backed by wealthy philanthropists, a handful of ECE advocates, such as Felix Adler, Kate Douglas Smith (Wiggin), John Swett, and Sarah Cooper, touted kindergarten as an instrument for quelling urban unrest, directing social change, and arresting the possible development of young criminals.

In the 1890s, however, due to an economic crisis which cut private, philanthropic contributions, there was a renewed agitation for merging kindergartens into the public school system. The movement for state-supported kindertens paralleled the push for compulsory school attendance. When California passed its law establishing kindergartens in the public schools, supported by local taxes, its compulsory attendance laws guaranteed that the reformers' goals of early intervention to produce social change would be met.

We will now analyze whether these historical rationales have persisted or changed as we turn our focus in Part Two to five selected case studies of contemporary ECE legislation.

Part Two:

**Five Case Studies of Contemporary
Early Childhood Education Legislation**

Chapter 3:
Introduction

by

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IMPORTANCE OF THE PROBLEM

Over the past decade a number of forces and factors have emerged to support the initiation of early childhood education (ECE) policy making at the federal and state levels. In the 1960's substantial energies were directed by federal policy makers toward children of poverty at an early age, notably, the inauguration of Project Head Start in 1965. At the same time, university-based researchers, especially Benjamin S. Bloom¹ and J. McV. Hunt², presented evidence that early intervention strategies were crucial to child development. This stimulated the professional community, the lay public, and public policy makers to examine this policy issue.

A major proposal in the area of social services and comprehensive child care reform was initiated at the national level in early 1970. The Mondale-Brademas legislation, whose financial cost estimates ranged from \$7 billion to \$30 billion yearly, was only narrowly defeated by a Presidential veto in December 1971. The effects of this rapidly mounting ECE movement toward publicly supported programs of preschool and day care have yet to be assessed.³

At the state level, ECE has recently blossomed as a major social policy issue. A survey of state ECE legislative activity, which was conducted for the purpose of this study (see Chapter 10), has revealed that the volume of ECE legislation increased sevenfold from 24 citations in 1970 to 168 in the 1973 legislative session. Similarly, while Arkansas was the only state in 1970 with an Office of Child Development (OCD), by

1973 fourteen states had established OCD's, or their equivalents, and four other states were considering such action.⁴ But very little is known about the reasons for this state policy activity. Given the potential impact of this issue, both the fiscal and nonfiscal (or societal) implications, it seems appropriate that we investigate why states and state policy makers are addressing ECE.

PURPOSE

The central purpose of this investigation is to illuminate the rationales that states and state policy makers have used to support their recent ECE policy initiatives. We are particularly interested in presenting the research rationales that have been evidenced in this process. Our secondary purpose is to describe how ECE policy was made. That is, who were the initiators of the ECE policy? What manifest or latent purposes did an interest in ECE reform serve? How was research-based evidence used in the formulation of this social policy issue? And what were some of the differences in how this policy issue was handled by the policy processes of our selected states? We envision the outcome of our study to be empirical, in the sense that the findings are for adding to our knowledge of "what is happening in this policy area."

Our study will not attempt to evaluate the research base for each policy initiative nor to judge what is an ideal or scientifically correct basis for ECE policy making. Our competency as policy analysts allows us only to describe the rationales (especially the "scientific" bases) that were used in the policy process. While our project should provide individuals who know substantively the early childhood field an opportunity to evaluate whether

a broad enough spectrum of research has been used in the formulation and development of early childhood education policy, we do not make that judgment here.

METHODOLOGY

In attempting to develop a research framework in which to investigate early childhood policy making at the state level, we were hindered by lack of any prior ECE studies on which to guide our analysis and by a lack of studies in the general area of state politics of education.⁵ The few ECE studies that did exist were either descriptive summaries of state code requirements⁶ or surveys of state legislation.⁷ * In view of these limitations, we have had to develop our own methodology. To understand the rationales behind the recent ECE policy activity, we felt an in-depth treatment or case study approach was necessary.

A simple enumeration of formal legislation would provide little insight into the rationales for ECE policy making. Formal legislation is the result of a complex process which has elements of politics, uncertainty, and evolution. The activity of the participants in this process reveals the presence of these elements: they bargain; they enter and exit from the process at different stages; they have both spoken and unspoken rationales;

*We wish to alert the reader to the problems of symbolic and non-implemented legislation. It needs to be noted that because a law is passed and enrolled in the state code, does not guarantee that it will be enforced. (See Part One: Historical Perspective, Chapter 1, p. 2) Similarly, it is not unusual at the state level for legislators to enact substantive legislation knowing that the legislative appropriation for this program would not be funded (see Chapter 6, the New Mexico case, and Chapter 8, the Georgia case studies). Therefore, legislative outputs need to be scrutinized closely--by means of case analysis--before their meaning can be determined.

and the final outcomes which constitute ECE legislation are not necessarily determined by the initial motivations. A comparative case study design should provide useful data as well as "hard evidence" about the rationales that really moved the development of the ECE legislation. However, given the lack of prior research in this area, we must consider our investigation as exploratory.

As a prelude to our policy investigation, we studied the rationales behind the establishment of the first school entrance age laws (which have persisted to the present-day basis for ECE policy making). We have initiated an historical analysis of ECE policy making in the 19th century by focusing on the emergence of the National Compulsory Education movement (see Part One, Chapter 1) and by reconstructing a case study of the origins of kindergarten reform in California at the turn of the century (see Part One, Chapter 2). Insights gleaned from this historical analysis were incorporated into the categories of data--the research questions--that we developed for our investigation of contemporary ECE policy making. (See page 41.) We will also seek to analyze whether these rationales for ECE policy activity have persisted or changed over time.

In operationalizing this study we utilized the Wirt-Kirst political framework⁸ to identify the array of potential participants, e.g., representatives of the legislative branch, executive branch, state department of education, and established and ad hoc interest groups. Each case then required on-site interviewing of the major participants. We utilized an elite interviewing technique.⁹ The interviews had two components: an open-ended phase in which we allowed the interviewee to describe the

particular legislative initiative, and a structured phase in which we sought the individual's responses to a common set of questions. We were especially attentive to the unspoken as well as the spoken rationales and possible ulterior motives that an interest in ECE might serve. Our overlapping interviewing of the major actors and the use of a structured component (common set of questions) in our interviews allowed us to probe behind the manifest content of the interview to the latent motives--rationales--of each political participant. A list of the researchers and a detailed description of the comparative case study research methodology may be found in Part Three, Chapter 11.

SCOPE

The field of ECE included a wide range of activities concerned with the care and development of children. For the purpose of our policy study, we can classify the present ECE legislative alternatives as follows:

- a. Primary/Elementary--reform directed primarily toward changes in elementary schooling.
- b. Kindergarten--programs primarily for five-year-olds.
- c. Preschools--programs for four-year-olds/younger children up to four years.
- d. Early Development--programs primarily aimed at providing a wide range of service to children from the earliest years (through eight years).
- e. Day Care--programs which provide part-time care for children in the absence of their parents.

Because a national policy study of the fifty states was beyond our capabilities due to both financial and time constraints, we chose a dual strategy whereby we first surveyed ECE policy activity in all fifty

states, and then we concentrated our attention on a set of five states which we selected based on the preliminary screening of ECE legislation across the nation (see Chapter 10). And due to the lack of earlier investigations of policy in this area, we have decided to concentrate our analysis on only one type of ECE output--kindergarten legislation or programs for five-year-olds.* This common emphasis will permit the development of a comparable framework for analyzing this unexplored policy issue. It is our intention that these five individual cases will establish a modest but welcome first step toward a better understanding of ECE policy making at the state level and a research base from which future policy investigations can be launched.

Therefore, we propose an exploratory analysis of early childhood education policy making that will investigate five selected states that have initiated kindergarten legislation between the 1971-1973 legislative sessions. In accord with our policy-selection criteria (see Chapter 11), we selected the following legislation for analysis: West Virginia, Senate Bill 343, 1971; California, Senate Bill 1302, 1972; New Mexico House Bill 360, 1973; Ohio, House Bill 159, 1973; and Georgia, House Bill 421, 1973.

FOCUS

In keeping with an in-depth treatment or case study approach, it is important to have a consistent framework for analyzing the rationales behind recent ECE policy activity. To ensure a uniform focus on the

*See Chapter 11 for discussion of criteria of selection, p. 325ff.

dynamics of ECE policy making, we have formulated a core of research questions to be applied in all five case studies:*

- (1) What was the background to the reform--the status quo ante?
- (2) Who launched the proposal(s) and what was the rationale(s)?
- (3) What was the response to the proposal(s)?
- (4) What legislative provisions were proposed? How were they altered throughout the policy process and what was the rationale(s) for the modification(s)?
- (5) How was the initiative developed?
- (6) Who assumed the role of legislative leadership and why? What was the involvement of the executive branch, i.e., State Education Agency, the Governor's office, and other agencies?
- (7) Who opposed and what was the rationale(s)?

These questions will guide our analysis of the rationales for ECE policy making. We will focus only the policy decision stage of the policy process; that is, what happens to an idea between the time it is conceived and the time it becomes the law of a state? ** Legislative action will conclude each of our cases. We will not follow the initiatives through their implementation.

CONTENT

Each of the five cases (Chapters 4-8) is divided into three sections:

OVERVIEW--we provide the reader with an introduction to the particulars of the individual state's political system;

*These questions follow an analytical framework most recently utilized by Berke and Kirst in their examination of the politics of state school finance reform which will be published in a forthcoming book, The New Era of State Politics of Education.¹⁰

**The two other stages of the policy process are the policy implementation and the policy consequence.¹¹

EVOLUTION OF LEGISLATION--we trace the early childhood proposal from its formulation through the various stages of its development to its ultimate resolution by the state legislature. We utilize the seven research questions as a framework for discovering and illuminating the rationales--explicit and implicit--evident at the various stages of the policy process.

SUMMARY OF RATIONALES--we review the major rationales that we found in our investigation of each state.

In our comparative case analysis (Chapter 9) we present a comparative treatment of the findings of the study in terms of the similarities and differences of the states' policy making processes and a comparative discussion of the rationales exhibited in the cases. Included in Part Three of our report are the results of our survey of state ECE legislative activity between 1970-1973 (Chapter 10), a description of the methodology and criteria utilized in our selection of our five cases (Chapter 11), and a selected bibliography (Chapter 12).

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Chapter 4:

Appalachian Trail Blazers:
A Study of Early Childhood Education
Policy Making in West Virginia

by

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LIST OF ABBREVIATIONS

AEL	Appalachia Education Laboratory
ARC	Appalachian Regional Commission
CSSO	Chief State School Officer
EAC/ARC	Education Advisory Committee/Appalachian Regional Commission
ECD	Early Childhood Development
ECE	Early Childhood Education
ESEA	Elementary and Secondary Education Act
FY1973	Fiscal Year 1973
HB 689	House Bill, Number 689
MBA	Modern Budget Amendment
PTA	Parent-Teacher Association
RESA	Regional Education Service Agency
SB 205	Senate Bill, Number 205
SBA	(County) School Boards Association
SBE	State Board of Education
SDE	State Department of Education
SEA	State Education Agency
Title I	Elementary and Secondary Education Act, Title I
Title V	Elementary and Secondary Education Act, Title V
Title IV-A	Social Security Act, Title IV-A
WVEA	West Virginia Education Association
WVSDE	West Virginia State Department of Education

OVERVIEW

I. General Environment

West Virginia has remained an essentially rural state with approximately two-thirds of its 1.8 million population living in rural areas. Over the last decade, a major emigration has reduced the state's population by 8.5%, the largest decrease in the nation. West Virginians contribute a high effort toward the support of public education. While the median family income in West Virginia was \$7,414.00 (nearly \$2,172.00 below the national average) and the state was 45th in per capita personal income with \$3,021, it ranked 17th in the nation in per capita expenditure for all education. However, due to the low wealth base, in 1970 West Virginia spent only \$676.00 per pupil in average daily attendance which ranked it 38th in the nation.

Public school enrollment for 1970 totaled 399,530 in 55 county school districts. Nearly 50% of the revenue for elementary-secondary schools is provided by the state (15th in the nation) and 12.4% of its school revenue comes from the federal government (10th in the nation). The public school system includes grades one through twelve. There were no state-supported preschool or Early Childhood Education (ECE) programs.

II. Political Decision Making Environment

Legislature. The West Virginia Legislature consists of two chambers, a Senate with 34 members and a House of Delegates with 100 members. It had traditionally met for 60-calendar day general sessions in odd years and a 30-calendar day budget session in even years. However, a 1970

constitutional amendment provided for an annual 60-calendar day general session beginning in 1971.

Organization of the West Virginia legislature reflects the dominance of the presiding officers. Both the President of the Senate and the Speaker of the House wield tremendous power through the control of committee and chairmanship appointments, and as chairmen of the Committee on Rules which in both houses establishes the rules and procedures governing the legislature and sets the legislative calendar of bills that are to be taken up for final passage. Several other factors limit the independence of the membership in the policy-making process: there is no pre-session organization meeting; no provision exists for standing committees to meet during the interim period; and both the large size of the committees and the multiple committee assignments (e.g., 26% of the House members have more than three assignments each, and 88% of the senators have more than four) contribute effectively to the membership's inability to concentrate their attention on particular issues and to contribute effectively.¹

Executive. The West Virginia chief executives have been rated as weak—in the bottom fourth quartile among the states.² However, the 1968 Modern Budget Amendment (MBA) created an executive budget system which provided the Governor with new power and responsibility for budget formulation and execution. Beginning with the inauguration of Arch A. Moore in 1969, the Governor has had the power (a) to draw up fiscal programs, (b) to make revenue estimates—since spending is constitutionally limited to the amount of revenue, the power to estimate revenue and to adjust it during the session is an important executive prerogative--(c) to modify legislative action—to veto any item of the budget or to reduce any item

or parts of an item--and (d) to call special session of the legislature which will consider only items proposed by the executive. A 1970 amendment removed a last major constraint on the West Virginia chief executive, the one-term limitation. Thus, our case should provide an opportunity to observe the emergence of executive leadership as a force in the West Virginia policy process.

State Education Agency and Education Interests. The West Virginia State Education Agency (SEA) is composed of three representative units: The State Superintendent of Free Schools who is appointed by the State Board of Education to be the Chief State School Officer of the state (CSSO); an eleven-member State Board of Education (SBE); and the State Department of Education (SDE) which assists the CSSO in administering the laws and policies of the state relating to education. While both the SBE and the SDE make annual recommendations to the legislature, the Board has permitted the State Superintendent to provide leadership in the formulation of state education policy.

Several education interests have been active in the formulation of West Virginia education policy: the county School Boards Association (SBA), the County Superintendents, the West Virginia Education Association (WVEA), the West Virginia Parent-Teacher Association (PTA), and the Appalachia Education Laboratory (AEL). The former two groups are viewed as the major constituency of the State Superintendent and their activity has served to constrain the SDE's ability to play an active role in educational reform. The power of the county superintendents is split between the older and more conservative rural superintendents and the more affluent and liberal Ohio Valley county superintendents. The WVEA, which is by far the largest

education group representing teachers and school level administrators, has often produced independent analysis on educational issues. However, it has traditionally been limited by a lack of resources and the low profile and status of its membership. The PTA has been very active in lobbying for ECE reform since the mid-1950's when its Legislative Committee was formed. The AEL, which was formed in the early 1960's to develop programs for children in rural situations, has become a major independent advocate throughout the Appalachian area for educational reform.

EVOLUTION OF LEGISLATION

I. Background to Reform

The economic realities of the Depression had forced West Virginia to reorganize and consolidate its schools into a county unit system. The program offerings were reduced to a 1-12 organizational structure, thus eliminating the few urban public kindergartens. The preschool issue did not arise again until the late 1950's when the state PTA lobbied for state standards for approval of private kindergartens and for teacher certification. In 1959, the State Board of Education adopted standards for approving public and private kindergartens. However, up to the fall of 1965--a prelude to the initiation of Title I, ESEA*--West Virginia was one of only seven states which reported no provision for public kindergartens.³

*The landmark Elementary and Secondary Education Act (ESEA) which passed Congress in 1965 provided for: the improvement of the educational opportunities of the educationally deprived children under Title I; and strengthening State Departments of Education by assisting in the development of their planning and analysis component under Title V.

Federal Influences. In the mid-60's, following the Great Society social legislation, the WVSDE Bureau of Instruction did begin to look at preschool needs as part of a major department analysis of West Virginia education. Under Title V, ESEA funding, outside consultants from Ohio State University, George Washington University, and the United States Office of Education were brought in to assist the department in planning for preschools. Ultimately, in 1967, the department's plan for "The Comprehensive Education Program" defined public kindergarten as an essential component of the educational system.

This policy decision seemed to be influenced by two factors. First, the emerging federal emphasis on Early Childhood Education had stimulated a renewed interest in kindergartens as a necessary component of the school offering, and not as a luxury item. Secondly, West Virginians became very self-conscious with respect to their educational offerings. Public kindergartens were now a part of the regular school program in all of the states bordering theirs.

In November 1967, the State Board of Education and the State Superintendent, Rex Smith, formally endorsed and requested a legislative appropriation "that the scope of public education be extended to include kindergarten as the first step in a program of early childhood education." Like prior kindergarten initiatives which had been introduced independent of state education sponsorship in each legislative session since 1965, the 1968 SBE/SDE legislation failed to secure serious legislative consideration. The education constituencies—notably WVEA, the School Boards Association, and county superintendents—opposed kindergarten as a priority primarily on fiscal and practical grounds. The major obstacles

to its success included (a) a lack of available classroom facilities in each county, (b) the absence of trained teachers, and (c) a fear that this program would divert necessary resources from the basic 1-12 system.

Intrastate Stimuli. In 1968 three major breakthroughs for the ECE initiative occurred: the formation of an ECE Task Force; the emergence of the Appalachia Educational Laboratory program alternative; and the election of a new Governor. In the early spring Early Childhood Education was identified as one of seven studies to be funded under Title V, ESEA funding as part of Governor Hulett Smith's Comprehensive Educational Planning Committee. An ECE Task Force was appointed with the specific assignment to address the major impediment to previous initiatives: "that of providing data and a plan for including Early Childhood Education as part of the State's Elementary Schools."⁵

The Final Report of the Task Force reflected the self-assured social climate that surrounded early childhood policy making in the late 1960's. ECE was acknowledged as the critical area of need, and kindergarten was accepted as the obvious policy alternative to be recommended. Dr. Martha Rashid, an out-of-state consultant from George Washington University, was brought in specifically to provide the intellectual leadership, i.e., the research rationales for this predetermined policy priority. In Section II and Appendix, she summarized the strongly supportive literature on the importance of early intervention strategies: "No reputable scientist refutes Bloom's assertion that the early years are significant years for learning."⁶

The Task Force Report, however, was not an appropriate document for supporting the ECE initiative as a policy proposal. While it did

define for the first time an articulated kindergarten program, it failed to address the more crucial issues that had impeded legislative consideration of ECE in the past, namely, the lack of reliable planning data for assessing both the needs for and the cost of a kindergarten program. It was not surprising, therefore, that they formulated a \$1.265 million pilot implementation plan that provided for the establishment at the beginning of the 1969-70 school year of one kindergarten in each county.

The Appalachia Educational Laboratory of Charleston had developed a home-based program which was being piloted in three counties as a more viable and less expensive alternative than the conventional kindergartens, given the rural make-up of West Virginia. The AEL experimental program included three components: a daily 30-minute television lesson; instruction based upon materials developed specifically for rural Appalachian children that was conducted through a weekly visit into the home of each child 3, 4 and 5 years old; and a two-hour session once each week in a group of 10 or 12 other children in a special mobile classroom brought to some location near his home. From a cost standpoint, the conventional kindergarten program was calculated at \$496.54 per pupil, while the AEL was \$197.85.⁷ (Per pupil cost based on average daily attendance in 1966-67 in West Virginia schools was \$490.70 per pupil.) And, as Dr. Benjamin Carmichael, the newly appointed director of the laboratory, stressed in a memorandum to the West Virginia State Legislators in the fall of 1968, "It must be recognized that no state is now successfully providing conventional kindergartens in rural areas. West Virginia could be the first state in the union to establish a preschool program for all 3-, 4-, and 5-year-old children."⁸

The 1968 campaign also produced the first gubernatorial endorsement of kindergarten as part of a candidate's political platform. Congressman Arch Moore, the Republican candidate, pledged himself to address West Virginia's economic and social problems in a twofold fashion: he first proposed to initiate a major and extensive highway construction program to serve as a stimulus to attract new industry to the state, and secondly, he threw his support behind kindergarten as a means of dealing with the low performance, high failure and dropout rate among West Virginia's youngsters.⁹

Policy Impediments. During the 1969 legislative session the SDE-sponsored pilot kindergarten proposal met major opposition. The School Boards Association and county superintendents opposed the legislation as a political nightmare which would place county officials in the unenviable administrative quandary of having to determine the one site in each county for the new program, as well as a potential drain on the basic 1-12 program offering. The WVEA, which was sponsoring as its number one priority a \$1,000 salary increment for teachers, took strong issue against conventional kindergarten as the proper form of Early Childhood Education. Their challenge was based upon the finding that "research conclusively is revealing that the kindergarten child, matched with a non-kindergarten child of like ability, comes out equal in achievement by the end of third grade."¹⁰ This knowledge, coupled with the historical impediments of cost, facilities, and teachers, which the WVEA annual report characterized as "a situation that could usurp too much dollar investment that in turn would depreciate the regular ongoing program of elementary and secondary education," was sufficient cause for seeking a different approach.¹¹ The WVEA recommended that the Appalachia Educational Laboratory ECE program

for improving ability levels of 3-, 4-, and 5-year olds through the use of television be explored as a more comprehensive and efficient alternative. While the teacher organization's endorsement of this "less labor intensive" alternative might at first seem surprising, it was influenced by the practical concern that the drain of qualified teachers and teacher college graduates to out of state systems due to the inferior salary schedule made teacher remuneration a major priority of the WVEA.¹²

While the legislature did raise teachers' salaries by \$1,000 upon the strong support of Governor Moore, the pilot kindergarten legislation failed once more because of a lack of detailed long-range planning and the limited scope of the program. It became clear that much hard work had to be done, both in collecting the necessary planning data and in fusing the disparate education interests into a cohesive political unit, before early childhood education would become a reality in West Virginia.

II. Initiation of Reform

New Administration. A major early reorganization by the new administration was the creation of the Office of Federal-State Relations within the Governor's office. This provided a more comprehensive overview of the flow of federal resources into West Virginia and established an advance information network that alerted state planners to the emerging federal policy priorities.* An agency of immediate concern to the

*In relation to the national "universe of needs" for educational services the Appalachian region was getting less than its proportionate share in almost every educational program. In many cases it was getting much less than a proportionate share based on its percent of the nation's population. For example, the most glaring inequality lay in the allocation of federal funding under Title I of the Elementary and Secondary Education

Executive was the Appalachian Regional Commission (ARC). A 1965 Act of Congress had created this unique federal-state organization for encouraging regional Appalachian development of the 13 Appalachian states. In recognition of the needs for human development, the Commission established in early 1967 an Education Advisory Committee (EAC) which was charged with providing "on a continuing basis, advice and guidance to the Commission on matters pertaining to education which affect the economic and social development of the Appalachian Region."¹³ In November 1968, ARC formally adopted a set of EAC-recommended educational priorities that would have a significant impact on the formulation of West Virginia's ECE initiative. These proposed the establishment of formal long range development planning activities for education within each Appalachian state in order (a) to promote development of Regional Education Service Agencies (RESA), and (b) to encourage Child Development Programs and Early Childhood Centers.¹⁴

The rationale behind these policy priorities was understandable. First, there was an outstanding need for encouraging the development of central planning capability in the states, and in particular, in state departments of education. Secondly, with a dispersed rural population, Appalachian school systems lacked the fiscal and student base to provide

Act. As late as November 1969, only nine (of 55 counties) had public kindergartens under Title I, ESEA funding, and yet West Virginia ranked nineteenth with 106,406 children (5-17) in families with an income less than \$2,000. This lack of funding was attributable to two causes: (1) the local administrator was ignorant of the existence of the aid program, and (2) no one in the district was assigned to the specific job of making application. Thus, in special purpose programs such as Title I, ESEA, schools in the Appalachian region did not know the programs, they did not have the skilled proposal writers to compete in the national arena, nor in many cases were the programs responsive to their specific problems.

even the most basic educational and support services. The RESA program was designed and promoted by ARC/EAC to enable states to develop pilot model agencies for replication throughout the state.* And finally, the selection of ECE as a policy priority was based both upon the high incidence of economic disadvantage among Appalachian children** and a first grade retention rate of 65% in some parts of the region.¹⁵

In January 1969, John B. Himelrick, Assistant State Superintendent for Administration, SDE, was appointed as West Virginia's EAC representative. After the 1969 "pilot kindergarten" legislation failed due to the lack of detailed long range planning, Mr. Himelrick was encouraged by the ARC staff to submit a proposal for effecting a central planning capability to coordinate the development of ECE programs in West Virginia. During the spring of 1969 he prepared a proposal which incorporated a Regional Demonstration Center approach that reflected ARC's regional planning concept. This model addressed directly the needs of a state, as the author noted, "with no specific planning being done in early education, no existing public-supported early education programs to serve as models, a serious lack of certified early education teachers, and limited experience in inter-agency coordination and cooperation in the delivery of services to children."¹⁶ While the initiative was presented as a joint or cooperative

*In West Virginia, seven regions had already been designated for teacher education purposes so that each region was accessible to colleges and universities throughout the state.

**Forty-three percent of the children under six years of age in Appalachia are economically disadvantaged (defined in terms of the Office of Economic Opportunity criterion as belonging to a non-farm family of four with an income of less than \$3,600 a year).

venture by the Governor's office and the SDE, the proposal specifically assigned administrative responsibility to the Office of Federal-State Relations, and provided that the personnel called for in the proposal would also be attached to this office.

ARC approved the planning grant in late July. Upon the recommendation of Mr. Himelrick, Mrs. Barbara Clay, formerly a supervising elementary principal in Caball County Schools, was appointed by the Governor's office as Director of Early Childhood Education Planning. Her assignment was to work with the State Department of Education to study and to plan for the development of the ECE Demonstration Centers in each of the seven educational regions of the state. Shortly thereafter a 15-member State Advisory Committee representing state, county, region, college and university interests was appointed with Mrs. Clay as chairperson to develop the comprehensive plan for ECE Demonstration Centers for West Virginia.

ECE Advisory Committee's Plan. In the late summer, Barbara Clay, functioning out of the SDE, initiated a rudimentary assessment effort to collect the needed ECE data for the anticipated administration proposal. These included (by county): the actual and projected 3-, 4-, and 5-year-old populations; current enrollment in federal, county, and private pre-school programs; actual and projected elementary enrollment by grade level; projected transportation costs; availability and projected costs for classroom facilities; and teachers with ECE certification. For example, only 78 teachers with ECE certification were identified, 61 of whom were concentrated in one of the seven regions.¹⁷

The ECE Advisory Committee developed a two-pronged approach to ECE reform: Quality and Quantity. The "Quality" phase called for the

funding of seven ECE Demonstration Centers to be located throughout the state, one in each educational region. The Centers were designed in terms of the ARC planning model to produce quality programs, qualified ECE teachers, comprehensive auxiliary services, and meaningful parent involvement. This was an appropriate preliminary step to precede the implementation of the "Quantity" phase of the proposed ECE program: funding kindergarten experiences for all 5-year-olds in the state.

In December Mrs. Clay and Mr. Himelrick presented the draft Guidelines for Regional Early Childhood Education Demonstration Centers to Governor Moore. His reaction was totally positive, and he indicated his strong support for the two-pronged ECE program. The initiative now resided in the Chief Executive's hands.

III. Legislative Decision Making

A. "The Trial Balloon": the 1970 Legislative Session

Because 1970 represented the initial year of operation of the Modern Budgetary Amendment (i.e., the Executive Budget), the political atmosphere surrounding the setting of priorities in this legislative session became highly charged and laden with partisan overtones as the Republican Governor presented his budget to the heavily Democratic legislature. Much of the political acrimony which followed stemmed from the joustings of the divided partisan leaders who were uncertain of their power within the new budgetary process.

Anticipating a hostile legislative response to his priorities, especially the ECE issue, the Governor tested the political waters by tossing out the idea of using his prerogative of calling a special session of the legislature to deal with the problems of education from early childhood through college. He asked the newly created Governor's Steering Committee on Education to consider this idea and at the same time to plan a special Governor's Conference on Education for April, following the regular legislative session.

Governor's Legislative Program. In his State of the State address, Governor Moore laid a major challenge at the feet of the state legislature: "... our decade of the 70's may well be the education decade for all West Virginians."¹⁸ Public kindergartens for all 5-year-olds and ECE Demonstration Centers headed his list of priority programs. The Governor's legislative package was to be financed by an extensive tax revision plan that called for an increase in the assessments of both real and personal property at the county level sufficient to generate 10 percent above the present yield, or \$13 million, which was to be "earmarked" for the sole purpose of underwriting the statewide public kindergarten program. The budget bill also included a \$427,000 appropriation to meet the state's share of the \$2 million cost of establishing seven Demonstration Centers "for the purpose of training the teaching personnel who will provide the reservoir of expertise needed to put this program [kindergartens] on line."¹⁹ The remainder was to be provided through matching and supplementary federal funding.

Policy Positions of Education Interests. The administration's two-pronged approach--Quality and Quantity--met with a mixed reaction from the education interests. It was the position of the State Department that the "quantity" phase of the ECE proposal should be attempted only as quality programs and qualified teachers were available. Their stand reflected the concerns of their constituencies, notably the county school boards and county superintendents who remained unconvinced, despite the Governor's pledge to find necessary resources, that any attempt to fund public kindergartens outside the state foundation formula would not ultimately drain dollars from the basic 1-12 program.

The Appalachia Educational Laboratory was about to initiate an alternative legislative proposal. Their approach was twofold. First, they proposed to provide an innovative process for lifting the ability level of West Virginia children--ages three to five inclusive--through the use of educational television. And secondly, they recommended the establishment in each county of a six-week readiness program to prepare "soon-to-be-entering" children for regular school participation, including such things as immunization, other health checks, and learning to participate in group activities.

The AEL program found strong support in the WVEA. Mr. Phares Reader, the WVEA Executive Secretary, was extremely critical of short-sighted educators and other state policy makers who resisted any suggestion of deviation from the conventional approach to ECE reform. The WVEA stand was not in opposition to ECE per se, but was in response to the fiscal realities that "just so many tax dollars are in the cloth for education,"

and that the AEL television approach was the least costly and most effective alternative.²⁰ The major outcome of the AEL-WVEA position was that it created some uncertainty in the minds of the already reluctant state legislature as to whether the conventional approach was the right one. However, in this instance the doubt raised by the AEL-WVEA questioning was not to be a source of legislative reflection, but rather an excuse for no action.

Legislative Reaction. The administration's legislative program was introduced during the last two weeks of the session in three separate bills: HB 689, the plan for the organization and operation of several Regional ECE Demonstration Centers; HB 742, kindergarten legislation mandating the provision of programs (but not attendance) for all 5-year-olds the beginning of the 1971 school year; and HB 743, the appropriations bill, which proposed a 17% increase in county taxation.

The legislative hearings on the Demonstration Center bill produced a positive response from the House membership. Mrs. Clay reviewed the plan for regional ECE Centers, and the legislators expressed satisfaction with the progress in planning, and one delegate described the hearing as "the first intelligent presentation on this subject I have heard in ten years."²¹ The hearings literally boiled over, however, when the committee members were informed of the administration's strategy in pursuing the immediate implementation of the kindergarten program. The committee members seemed more inclined to support the allocation for the training program with the understanding that allocations for the total program would be postponed until sufficient instructors were prepared for kindergarten placement.

Unfortunately, the Governor's legislative package also tied the proposal for long-term financing of kindergartens with another proposal for raising money for secondary roads. The Democratic-controlled legislature, and even some Republicans, found his request for the added 17% tax on property totally unacceptable. Much of the opposition was a product of three sources: the larger struggle by major political actors to establish their prerogatives within the new budgetary process, notably, the President of the Senate, Lloyd G. Jackson; a genuine reluctance by the lawmakers to enact any tax measure during an election year; and some serious reservations about the method of finance and the tax itself--"the portion of the local property tax revenue that results from special levies [such as that proposed by the Governor for kindergarten programs] can't be earmarked," declared Chairman McManus, House Finance Committee.²²

Although this first stage in the legislative decision-making process closed with the demise of the Governor's legislative package, ECE did rise to the level of a major policy issue in 1970. From this experience the proponents, especially Governor Moore, came to several important understandings: first, the crucial issue was finance, and the legislature had shown an inclination toward a "phase-in" strategy; secondly, a systematic effort had to be made in activating public pressure for kindergarten programs; and finally, the demonstration center concept was an appropriate first step for initiating the ECE programs and the administration should pursue alternative funding sources for implementing these centers as levers for reform.

B. "The Issue Takes Shape": Political Strategy

Governor Moore had gained much publicity for his recognition of the importance of kindergartens and for his novel ECE plan. Newspapers articulated the latent public dissatisfaction with the legislature's failure to address "the injustice of the present system":

... Affluent parents can send their children to private kindergartens, children of the very poor can go to Head Start kindergartens, but the children of the middle-class families are--as usual--left out in the cold.²³

The Governor received unexpected assistance in reformulating his ECE battle plan. In early February legislation was introduced at the federal level to consolidate various ECE programs into a single unit.* While prior to this time the administration had approached the preschool issue in a very narrow, conventional manner--that is, focusing only on the implementation of a program for all 5-year-olds--the Governor's office now began to explore the full implications of the child development alternatives.

Governor's Conference. In late March a two-day conference of lay citizens and professional educators convened for the purpose of constructing an educational "Blueprint for Action in the 70's."²⁴ Early Childhood Education received major consideration as one of the four areas of investigation during the conference. Information was disseminated on what other states were doing; the needs assessment data compiled by Barbara Clay and the Advisory Committee's Demonstration Center plan were publicized; and

*The Comprehensive Child Development Act legislation was sponsored by Senators Mondale, Javits, and Representative Brademas.

most importantly, a common understanding of the issues at hand was developed, especially among the previously reluctant and hostile county superintendents and County School Boards.

The conference was indeed a wonderful vehicle for mobilizing these heretofore independent interests in behalf of Early Childhood Education. In the closing address Governor Moore exhorted the assembly to look at the total needs of education in West Virginia:

Of all the weaknesses in our educational system--and there are many--I am firmly convinced the most serious, the most crucial, and the one which causes the greatest amount of irreparable harm is the lack of early childhood education programs.²⁵

He then took a very strong stand for one particular policy priority and called for the support of all West Virginians:

And while there was no concurrence by the legislature with respect to my proposal, the fact remains that advancement in education cannot exclude the absolute necessity of a public kindergarten program. (Emphasis mine.)²⁶

Implementation of Regional Centers. In the spring, following the Education Conference, the administration sought to take the initiative on the ECE issue in order to cement the emerging allegiances and to build upon the favorable social climate. As in the initial stage, the administration turned once more to the ARC for the needed resources to "pilot" ECE Demonstration Centers. A proposal was prepared by John Himelrick for submission to the ARC requesting \$256,518 in 302B funds on a matching basis to implement the ECE plan in two of the seven West Virginia education regions. West Virginia's share of the cost was \$61,790.

Based on ARC's verbal commitment of the funding, Barbara Clay and the Advisory Committee proceeded to establish the criteria and procedures

for selecting the two pilot regions. The response of the counties was very positive, beyond the administration's expectation. The counties pooled their resources to make strong bids for the pilot project. The significance of this step was reflected in the statement made by the new State Superintendent, Dr. Daniel B. Taylor, that the inauguration of the two pilot Demonstration Centers, Eastern Panhandle (Region II) and the North Central Section (Region I), "marks the initial breakthrough in what must soon become a program for all preschool children in West Virginia."²⁷

Thus, as the 1971 session approached, there was good reason to expect a major confrontation over ECE priorities between the legislative and the executive branches.

C. "The New Coalition": The 1971 Legislative Session

The Emerging Leadership. Governor Moore has been characterized by one major West Virginia politician as "the greatest trader and most astute politician that I ever faced."²⁸ As the 1971 session approached the Governor demonstrated his ability to manipulate the political process to his advantage. In August 1970, he shocked the political system with his decision to request that the state treasurer reduce current state expenditures by six percent since he claimed that public revenues were not keeping pace with expenditures. Governor Moore recognized that his low revenue estimates at the beginning of the general session would provide him with unencumbered dollars during the anticipated special session of the legislature. He sought to strengthen his bargaining powers with the legislature by establishing a low ceiling on state spending during the 1971 regular session of the legislature.

Prior to the opening of the 60th legislative session, state political leadership underwent two major modifications that significantly altered the political atmosphere surrounding ECE reform. First, Dr. Dan Taylor, formerly Superintendent of Wood County, had been appointed as the new State Superintendent of Schools the preceding summer. Under his forceful administration linkages between the historically divided education interests, especially the county superintendents, and the State Department were strengthened. He took the initiative in exerting an aggressive leadership in the formulation of educational policies in three priority areas for 1971: school finance reform, teachers' salaries, and early education programs for 5-year-olds. And secondly, the complexion of the state legislature was drastically changed by the election of Mr. Hans McCourt, formerly the Senate Finance Chairman, as the new President of the Senate. This marked the first time in recent history that a major legislative leadership position was to be occupied by "a dedicated person for education."²⁹ The emergence of Senator McCourt, a supportive figure within the legislature, especially helped to remove the partisan overtones, i.e., Republican sponsorship, to the ECE initiative.

A major turning point in the evolution of the ECE reform occurred in a December legislative planning session attended by the Governor, Senate President McCourt, and Speaker of the House, Ivor Boiarsky. While the Governor had certainly provided leadership for addressing ECE up to this point, it was now Senator McCourt's adamant position that would carry the issue this day. The Senator was disturbed by the reported incidence of failure in early schooling and by national statistics on the low performance of West Virginia children on standardized tests. He had become

convinced over the years that "We are behind the national average because we are starting later--by starting a year earlier we will be able to catch up."³⁰ It was his stand--"Personally, I want a kindergarten program above all else. I don't give a darn if nothing else passes. I want that"³¹--that forced leadership approval of ECE. In the face of this strong bipartisan sponsorship, the reluctant Speaker concurred and agreed to support ECE as a major policy issue in the 1971 legislative session.

Governor's ECE Legislation. Although the budgetary process was still laden with partisan overtones that reflected the inherent tensions between the executive and the legislative branches, the political atmosphere surrounding consideration of the Governor's 1971 budget was certainly less charged and less strained than in 1970. For the second year the Governor asked for a public kindergarten program as his top priority and requested additional state funding to implement the demonstration centers in the five remaining regions (those not funded under ARC grant). His 1971 ECE Plan, however, included two modifications from the previous year's initiative. First, a "phase-in" strategy was contemplated as a concession to the major financial and administrative concerns of legislators and county educators. And secondly, permissive authorization was sought to permit the establishment of "early childhood education programs designated for children below age 5."³² The latter provision was crucial to the administration's strategy to secure alternative funding for their programs. However, the Governor did not specify which federal sources were available other than emphasizing that he was not speaking of funds in the Head Start Program.

The spirit of cooperation carried over into the relationship between the administration and the State Department. Initially in early December, ECE was ranked as the SBE-SDE's eighth priority, requesting "immediate financial support for preschool experiences for all 5-year-olds in the state" (emphasis mine)³³ as well as demonstration centers for developing programs, personnel and auxiliary services. In subsequent negotiations just prior to the legislative session the State Board modified its proposal to include the permissive authorization clause that permitted the establishment of programs for children below five and a phase-in schedule with full implementation delayed until the 1973-74 school year.³⁴

The final legislative proposal represented an amalgamation of interests of the major actors, Senator McCourt, the State Superintendent, and most notably, Governor Moore. It proposed to (1) mandate the establishment of ECE programs for all 5-year-olds by the school year 1973-74; (2) permit the establishment of programs for children below 5; (3) establish Regional Early Childhood Education Demonstration Centers in five regions in fiscal year 1972; (4) provide funding for such programs in all seven regions thereafter (picking up the two ARC-funded pilot centers) and (5) assign responsibility to the WVSDE for establishing criteria and regulations for such programs. The cost of the program was estimated at \$7.8 million. This was well below the estimated \$13 million of the previous year since the cost per pupil was reassessed on the strong recommendation of the State Superintendent and adjusted down from \$433 to \$311, and more accurate estimates of the number of 5-year-olds indicated a 25,000 population instead of the projected 30,000. An additional one-time \$550,000 request was sought for establishing the Demonstration Centers.

The proponents chose to initiate their proposal simultaneously in both houses of the legislature in order to provide maximum exposure. The SDE legislation was first introduced on January 29 in the House where major opposition was anticipated as HB 818 under the sponsorship of Speaker Belarsky and Education Chairman Charles Lohr. Subsequently, identical legislation was presented in the Senate on February 1, as SB 205, by Senator McCourt and Education Chairman Mario Palumbo.

AEL Counter Proposal. The proponents of the AEL experimental programs were fearful that the newly activated education interests, under Superintendent Taylor's leadership, would close the door on alternative ECE options such as their home-oriented 3-, 4-, and 5-year-old programs by building conventional kindergartens into the state school foundation program which was also under legislative consideration. They very shrewdly drew up separate legislation which amended their program option into the skeleton of the previously introduced ECE legislation. Their bills (SB 343 and HB 1091) mirrored the administration's initiative in every way except they proposed to implement the 5-year-old programs by 1972-73 school year, one year earlier than previously proposed; they permitted the county boards to test more than one method of ECE, notably, their home-oriented ETV approach; and finally, they provided for a more flexible funding formula based on the cost per pupil basis. By establishing that each county board was entitled to a fixed amount of funds, the proponents of the AEL approach had hoped that the efficiency advantages of their program (outlined earlier on page 54) would make it more attractive to county administrators.

The energies of the teacher organization in 1971 were directed toward their top priority, a new state aid formula, whose ultimate success was heavily dependent on the strong support of both the State Superintendent and the Governor. It was not surprising, then, that the WVEA leadership would take a more compromising stand on the preschool issue this session. "We don't want to get ourselves tied down by language of the legislation requiring one approach" (a reference to the narrow definition in the SDE bills), advised the WVEA representative, Pharis Reader, but then he went on to announce that the WVEA would support "either program or both on a county option basis."³⁵

Fearing a disruption in the cohesion of the education interests, the administration ameliorated these concerns by agreeing to adopt SB 343 (the AEL bill) as its legislative vehicle. They worked toward an inclusiveness strategy by incrementally adjusting the policy content (i.e., increasing the program options to provide for both conventional kindergarten and the Laboratory's innovative program offering). The AEL-WVEA willingly accepted this marginal "side payment" since this was "the only game in town."

Major Policy Issues. In a surprise visit to the joint hearings of the House and Senate Education Committees, the Governor advanced a unique plan for financing kindergartens which would cost the State only \$3.5 million dollars. He announced that he had arranged for approximately \$2 million in ARC funds to supplement State funds for the educational programs for 5-year-olds. The balance of a required \$7.8 million would be generated under matching formulas in Title IV-A of the Social Security Act. While most federal programs had prohibitions against using federal funds to

match federal funds, the Governor contended that this was "not so with the ARC."³⁶

A major point of the administration's strategy was to use the legislation's pre-kindergarten authorization as a lever to attract new sources of federal assistance, most especially in the comprehensive child development area. It is significant that in general the legislators were willing to consent to this incursion of the state into what in most other states was a potentially controversial domain of the 3- and 4-year-olds. The focus of their concern centered on the Governor's finance scheme. And while a few legislators, Senator McCourt included, did question the viability of using federal funds to finance public kindergartens, they were willing to accommodate the executive's policy entrepreneurship.³⁷

Dissenting voices were raised on two other issues. The West Virginia division of the American Association of University Women lobbied in opposition to the establishment of Regional ECE Demonstration Centers, primarily because they contended that teacher training and program development functions properly belonged at the institutions of higher education.³⁸ The second issue concerned the AEL home-based program. An elected county school board member attacked the AEL training program because she said it proposed to mandate home visitations and evaluations of parents.³⁹

The success of the ECE program was now dependent on the proponent's ability to negotiate legislative approval on two fronts: SB 343, the substantive legislation, and SB 142, the appropriations bill.

Legislative Scrutiny: Senate Bill 343. The role of key policy makers in attracting supporters was evident during legislative considerations of ECE. While the Senate Education Committee Chairman admitted an initial lack of interest in the ECE proposals by his colleagues, upon the advice of Senate President McCourt he delayed committee consideration of SB 343 an additional week to allow the leadership time to confer with individual members of the committee. To the Chairman's confessed surprise the committee substitute for SB 343 received an overwhelming "do pass" on February 27. Thus, very early in the legislative process, the power of the Senate President to influence his colleagues and to control the flow of legislation became crucial.

The broad-based ECE legislation began to break apart under the Senate Finance Committee scrutiny. The membership was very skeptical of the viability of the Executive's complicated financing alternative, and without concrete assurances they envisioned the state treasury being burdened with the total program costs. In addition they were increasingly reluctant to provide the Governor with a "carte blanche" to expand his program to encompass 3- and 4-year-olds in addition to the 5-year-olds. There was a strong philosophical-emotional reaction by a few vocal legislators against the preschool intentions of the Governor's plan. Fears concerning "taking children from mothers," fear of "cradle to grave" philosophy of State control over lives of citizens and "Sovietizing" Americans were raised.⁴⁰

In the face of this reaction to the pre-kindergarten provision which he was not personally committed to, Senator McCourt bowed to the will of the Committee. Two major amendments were approved that struck

out the provision permitting ECE programs for children "below the age of five."⁴¹ On March 8, with only five days remaining in the session, the Senate ratified SB 343 by a vote of 31-3 and sent to the House legislation proposing a 2-year phase-in plan for establishing statewide kindergartens and Regional Demonstration Centers.

The arrival of the Senate-approved ECE bill placed House Democrats "on the hot seat," so to speak. While there was practically no sentiment in the House to pass a kindergarten program the leadership, particularly Speaker Boiarsky, understood that if they killed the ECE program they faced, first, the ire of the powerful Senate President who could retaliate against their program priorities, and secondly, they would take the blame for blocking a desirable program and losing federal funds. How could the Democratic leadership refuse the Republican Governor's request to find sufficient federal funds to support his proposal, asked a political commentator.⁴²

The House Finance Committee could not. It had been strongly influenced by the Executive's rationale that West Virginians could no longer afford not to search after its share of the federal dollar. They responded by amending SB 343 to restrict it severely, so that if he couldn't get the federal money, he couldn't spend the state money--if there would not be any kindergarten programs, the political monkey would be on the Governor's back.

The prospects for ECE success received an unexpected setback on the second-to-the-last day. Speaker Boiarsky, who was sustaining the wavering initiative in these last crucial days, was stricken ill and died. The Speakership of the House now passed to the Finance Chairman, Lewis

McManus, whose committee had taken such a hard line on SB 343 and whose amendment was now pending before the assembly. As the last day of the session opened, under pressure from the Senate President who communicated directly* his concern over the fate of the ECE legislation, SB 343 was scheduled by the new Speaker of the House for immediate floor consideration. It was now the administration's responsibility to mobilize the splintered House forces to protect the legislation from the impending emasculation.

The Republican House Minority leader assumed the "leadership" role with the active support of the Governor and moved to challenge the Finance Committee amendment by substituting his own amendment that contained a more moderate and less restrictive proviso:

Funds for implementing the early childhood education programs ..., in no event shall any state money from the general fund be expended under the provisions of this section unless federal funds are available for the purpose of this section.⁴³

The Siebert-led counterattack succeeded by a vote of 55 to 38. Speaker McManus (and six other Democratic Finance Committee members who opposed the substitute amendment) suffered a major setback in an early test of his new political powers. Surprisingly, the active stand of the entire Republican Caucus (30 members)**formed a cohesive core to carry the vote. Having seized the initiative, the proponents then carried a

*This is not meant figuratively. The two leadership posts were connected by direct telephone communication.

**Two Republican members were absent the day of the voting. The House of Delegates was composed of 68 Democrats and 32 Republicans.

second crucial amendment which reinstated the preschool component that had been deleted by the Senate Finance Committee.⁴⁴ Within a matter of hours SB 343 was brought to a final vote in the House (79-12) and sent back to the Senate for concurrence--where the bill was addressed immediately by the leadership--and with but ten minutes before the adjournment of the legislative session it was adopted.

Fiscal Considerations: Senate Bill 142 and House Bill 125. The ultimate acceptance of the \$3.5 million line-item appropriation in SB 142 was supported by three factors. First, the administration's decision to phase in the implementation of the kindergarten program over a three-year period, initiating the first third of the 5-year-old in 1971-72, received a very favorable response from the Finance Committees. Secondly, the emergence of a major interest in revising the state foundation plan provided the opportunity for the proponents to define kindergarten as a basic offering. The Finance Committees had only to provide special funding for the initial year--until kindergartens were absorbed as part of the foundation program.

The third and most important impetus for legislative consideration of the ECE funding was the Committees' sudden realization that a state revenue surplus would indeed be available to meet the obligations included in SB 142.* And as the special session opened it was learned that additional revenues were available for addressing the items placed on the session's agenda by the Governor, such as the unappropriated component of

*Since spending is constitutionally limited to the amount of revenue, the power to estimate revenue in West Virginia is a most important power.

the ECE legislation, i.e., the Regional Demonstration Centers. HB 125, an act making supplementary appropriations of surplus public money, was approved designating \$550,000 for this purpose.

Epilogue. Governor Moore was indeed very pleased with the ECE outcome of the 1971 session: "West Virginia has not just followed along with other states in putting children into traditional kindergartens; rather, we have blazed some new trails in the early education field."⁴⁵ In discussing the advantages of the comprehensive educational, social and health services for small children, he provided a critical insight into what factors had influenced his decision to move on this issue, i.e., to make ECE a priority issue of his 1971 legislative package:

But there is one more reason for caring for such a wide variety of ways, and with a total program of services. Such total programs are eligible for federal matching funds at the rate of three federal dollars for each State dollar. Half-day kindergartens for five-year-olds standing alone, and not as part of a total child care system, are not eligible for such federal support. To do more--to do it better--and do it for all our preschoolers, can quadruple our funds. (Emphasis mine.)⁴⁶

The year 1971 also produced a number of ECE firsts. One-third of the 5-year-old population was enrolled in public kindergartens in September. By fall, all seven Regional Demonstration Centers were in operation and ARC continued to provide discretionary funding for added regional services. And thirdly, in November, the Governor issued an Executive Order establishing the Interagency Commission for Child Development Services which was a prerequisite to qualifying for anticipated Early Child Development funds. However, Governor Moore's efforts to move ahead on this issue suffered a

major setback when President Nixon vetoed the Mondale-Brademas Bill in December.*

In the 1972 regular session legislation to implement the second stage of SB 343 was enacted. This provided programs for the second one-third of the 5-year-olds at a projected cost of \$3.5 million and for the continued operation of the seven Regional Centers at \$350,000. The Governor then convened a special session of the legislature for June to complete the funding for the remaining one-third of the 5-year-olds in West Virginia. Once again, by capitalizing on his control of the budgeting process, the Governor was able to produce an adequate amount of money to undertake the commitment and on June 9, HB 4, the Supplemental Appropriation Act, was passed by the legislature. Thus, by September 1972, less than two months before the gubernatorial election, every five-year-old child in West Virginia was provided the opportunity to attend a publicly supported kindergarten.

*The Mondale-Brademas legislation (S. 2007) proposed to establish comprehensive child development programs for children from birth through age 5, including services relating to social and cognitive development, handicapped and minority children, and parent education. It authorized appropriations of \$2 billion for FY1973 \$4 billion for FY1974 and \$7 billion for FY1975. Funds could be used for planning and developing child development programs. The establishment of a State Child Development Council was required as a prerequisite under a provision of the legislation. On December 9, President Nixon vetoed this legislation because he said it demonstrated "fiscal irresponsibility, administrative unworkability and family weakening implications."⁴⁷

SUMMARY OF RATIONALES

In 1965, when federal Head Start and Title I ESEA legislation turned early intervention theories into practical preschool programs, West Virginia was only one of seven states which offered no provision for public kindergarten. By September, 1972, thanks to a growing state self-consciousness, executive and legislative leadership, substantial federal stimulation and assistance, and a state budget surplus, every 5-year-old had the opportunity to attend a publicly supported kindergarten.

The ECE victory in the 1971 legislature was the culmination of a growing concern for kindergarten and preschool education that evolved over a number of years. In 1967, WVSDE's "The Comprehensive Education Program" defined public kindergarten as an essential component of the educational system. This policy decision was strongly influenced by the emerging federal influence on early childhood education and by the fact that kindergartens were now a part of the regular school programs in all of the states bordering West Virginia.

Under Title V funding, an ECE task force was formed in 1968. Their policy decisions were strongly influenced by out-of-state consultants who were brought in specifically to provide the intellectual leadership, i.e., the research rationales for justifying the predetermined kindergarten policy priority. Concomitantly, the Appalachia Education Laboratory was developing its own home-oriented, mobile classroom and educational television program as an unique ECE alternative to the conventional school-based kindergarten approach. The goal of the AEL counter-proposal was to establish preschool programs for all 3-, 4- and 5-year-old children under state sponsorship. As the era of heavy federal support for education laboratories began to dry up in the late 1960s, we find the AEL, a federally funded contracting agency, beginning to initiate lobbying efforts at the state level in order to insure its survival and the viability of its ECE programs in a period of declining federal resources.

Formulation of West Virginia's ECE initiative was significantly influenced by the educational priorities developed in late 1968 by the Appalachia Regional Commission, which is a regular participant in West Virginia's politics. In view of the state's lack of planning capacity and with the high incidence of economic disadvantaged among Appalachia's dispersed rural population (43% of the children under 6 years of age), ARC proposed to promote the development of Regional Education Service Agencies (RESA) and to encourage early childhood centers. The final ingredient in the emergence of ECE as a major state policy issue was the election of Arch Moore, who had endorsed kindergarten in his 1968 gubernatorial campaign platform.

During the 1969 legislative session the SDE sponsored unsuccessfully a pilot proposal to establish one kindergarten in each district. A number of factors contributed to its demise: educational constituents, notably, the WVEA and County Superintendent, opposed kindergarten based on fiscal and practical grounds--the lack of available classroom facilities, the absence of trained teachers, and the fear that this program would divert necessary resources from the basic 1-12 system; school boards did not wish to determine "the one site in each county for the new program;" and the WVEA and AEL opposed conventional kindergarten as the proper form of ECE. It is noteworthy that although WVEA's constituents (teachers) would have benefited from the expansion of public schooling to include kindergarten, they opted for the less-labor-intensive, home-oriented ECE alternative proposed by AEL. Their challenge was based both upon research findings that the education benefits of conventional kindergarten were negligible by third grade and upon the cost effectiveness of their home-based program versus conventional kindergartens.

With the encouragement and direct assistance of ARC, John Himelrick, then a member of the State Department of Education, prepared a proposal for coordinating the development of ECE programs that incorporated the Regional Demonstration Center approach. ARC funded an ECE advisory council, which developed a two-prong ECE proposal. It called for funding of demonstration centers in each of seven educational regions throughout the state as a prelude

to the full funding and implementation of kindergarten programs for all 5-year-olds. These centers were designed to produce quality programs, qualified ECE teachers, comprehensive auxiliary services, and meaningful parent involvement.

In 1970, Governor Moore proposed a major ECE plan, including kindergarten for all 5-year-olds and ARC-type demonstration centers. Educators remained unconvinced, despite the Governor's pledge to find necessary resources, that public kindergarten would not ultimately drain dollars from the basic 1-12 program. While legislators were pleased with the planning data provided for the first time by the ECE advisory council, doubts raised by the financial implications of the bill and the AEL-WVEA questioning of conventional kindergarten were used as an excuse for no legislative action. Nonetheless, the lessons the Governor learned from this failure helped him succeed in 1971. He learned that the crucial issue was finance; a phase-in strategy was more acceptable; public pressure for kindergarten had to be generated; and, demonstration centers were an appropriate initial step for initiating ECE reform in West Virginia.

In the spring of 1970, following a successful education conference of lay citizens and professional educators, which served to coalesce the fragmented educational interests on the ECE issue, ARC once again funded an administration proposal to establish two "pilot" ECE demonstration centers, which were greeted enthusiastically by the local districts. As the 1971 legislative session approached, the Governor engineered a budget surplus (by using his executive budget prerogatives) and secured the support of the newly appointed Senate President, Hans McCourt, who construed low relative test scores for West Virginia students to mean schooling should begin a year earlier.

The Governor's 1971 legislative proposal, similar to his 1970 program, began to break apart in the Senate Finance Committee. The legislature was

skeptical of the executive's complicated financing plan, the "carte blanche" preschool authorization, and expressed strong philosophical and emotional reactions over the issue of "state control" and "Sovietizing" young children. Senate President McCourt compromised with the committee and pressured the bill through both the Senate and House.

The final legislative package--SB 343 (1971)--mandated that ECE programs for all 5-year-olds be phased in initially over three years, beginning in school year 1971-72. It contained a provision that permitted the county school boards to implement more than one ECE method, thus, allowing school districts to experiment with the AEL home-oriented program as an alternative to conventional kindergarten. The legislation also established Regional Early Childhood Education Centers in five regions in fiscal year 1972, provided funding for these programs in all seven regions in subsequent years, included the permissive authorization for the establishment of "ECE programs designated for children below age 5," and assigned regulatory responsibility to the West Virginia State Department of Education.

The appropriations bill--SB 142 (1971) and HB 125 (1971 Sp.S.)--that provided \$3.5 million to pay for the state's share of the first phase of the new plan was supported by three rationales: the 3-year implementation phase in; inclusion of kindergarten in a revised foundation plan after the first year; and the availability of a state revenue surplus.

In addition, the Governor proposed to "blaze some new trails in the early education field" by taking advantage of the impending federal child care legislation, the Mondale-Brademas bill. The preschool authorization of SB 343 (1971) allowed for the establishment of comprehensive educational, social and health services. In November, 1971 the Governor enacted an executive order to establish the Interagency Commission for Child Development

Services which was a prerequisite to qualifying for anticipated early childhood development funds. However, the Governor's grand strategy suffered a major setback with President Nixon's veto of the federal child care legislation in December, 1971. Nonetheless, Governor Moore was able to complete the implementation of the phase in of kindergarten programs during the regular and special sessions of 1972. Thus, by September, 1972, statewide kindergarten was a reality in West Virginia.

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Dr. Roy Alford, Program Director, Appalachia Education Laboratory.

Mr. Jerry Beasley, Doctoral Candidate, Stanford University.

Mr. R. Neil Chenoweth, formerly Director, Elementary Education, State Department of Education.

Mrs. Barbara Clay, Director, Early Childhood Planning, Office of the Governor.

Dr. Glennis Cunningham, Professor of Early Childhood Education and Member of Advisory Committee on Early Childhood Education. * and **

Mr. Robert Decker, Program Specialist, Appalachian Regional Commission. * and **

Mrs. Mary Del Cont, Researcher, Office of Legislative Services.

Dr. Harold I. Goodwin, Professor of Education Administration, University of West Virginia.**

Mrs. Edgar Hermans, Legislative Program Coordinator, Parent-Teachers Association.

Mr. John Himelrick, Jr., Director, Interagency Council for Child Development Services, Office of the Governor, and formerly Assistant Superintendent for Planning, State Department of Education.

Mr. Charles Lohr, Chairman, House Education Committee. * and **

Mr. L. K. Lovenstein, Consultant, State Department of Education, and formerly Superintendent of Kanawha County Schools.

Dr. Douglas Machesney, Assistant State Superintendent for Planning, Research and Evaluation, State Department of Education.

* Single asterisk (*) indicates only correspondence with the individual.

** Double asterisk (**) indicates only telephone interview with the individual.

No asterisk indicates that a personal interview was conducted with the individual, as well as correspondence and telephone contacts.

Mr. Hans McCourt, formerly President of the West Virginia Senate.

Mr. Lewis McManus, Speaker, West Virginia House of Delegates.

Mr. Arch A. Moore, Jr., Governor, State of West Virginia.*

Mr. Mario Palumbo, Chairman, Senate Judiciary Committee, formerly Chairman, Senate Education Committee.

Mr. Robert Peck, Administrative Assistant, Interagency Council for Child Development Services, Office of the Governor.

Mr. Pharis Reader, formerly Executive Secretary, West Virginia Education Association.

Mr. George Seibert, Republican Minority Leader, West Virginia House of Delegates. * and **

Mr. John T. St. Clair, formerly Assistant State Superintendent for Instruction, State Department of Education.

Dr. Daniel Taylor, Superintendent of Free Schools, State Department of Education, State of West Virginia.

Mr. Earl M. Vickers, Director, Office of Legislative Services, West Virginia Legislature.*

Mr. Norman L. Yost, Administrative Assistant, Office of the Governor.

Chapter 5:

The State Superintendent's Initiative:
A Study of Early Childhood Education
Policy Making in California

by

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LIST OF ABBREVIATIONS

AB 1236	Assembly Bill, Number 1236
ACSA	Association of California School Administrators
CSSO	Chief State School Officer
CFT	California Federation of Teachers
CSBA	California School Boards Association
CTA	California Teachers' Association
DSW	Department of Social Welfare
ECE	Early Childhood Education
ESEA	Elementary and Secondary Education Act
LEA	Local Education Agency
PTA	Parent-Teachers Association
SB 1302	Senate Bill, Number 1302
SBE	State Board of Education
SDE	State Department of Education
SPI	Superintendent of Public Instruction
Title I	Elementary and Secondary Education Act, Title I
Title IV-A	Social Security Act, Title IV-A

OVERVIEW

I. General Environment

The 1970 census revealed that California had a resident population of 19,953,134, the largest of any state in the Union. Some 91 of every 100 Californians maintain an urban residence. Overall, Californians appear relatively prosperous and well-educated as measured by two socioeconomic standards. In 1970, the median family income of \$10,732 was more than \$1,000 above the U.S. average, and the median school years completed by Californians 25 years and over was 12.4, second only to Utah's 12.5. California's public school enrollment for 1970 totaled 4,702,000 in 1,120 school districts. While state financial aid has been declining recently as a percent of total expenditures for education, it still comprises 35.8%. Kindergarten programs are mandated by state law* and, as of 1970, they were financed under the state foundation program at a cost of \$245 million. In addition, California has had a long tradition of state educational pre-school programs under the auspices of the State Department of Education and local school districts dating from the first child care centers established following upon the Federal Lanham Act of World War II, and now operated as Children's Centers.

II. Political Decision Making Environment

State government has played a major role in the formulation and implementation of education policy in California. This is evidenced by the size of the California Education Code, nearly 2,300 pages in length, the use of state-adopted textbooks and course guidelines, and the degree

*See explanatory note, page 97.

of state financial aid to Local Education Agencies (LEAs). However, since state education policy is embedded in the larger totality of state politics, we need to investigate and understand the organizational structure and character of California politics as the framework for approaching our interests in ECE policy making.

Legislature. The California legislature was ranked first among legislative bodies by the Citizens Commission on State Legislatures studies.¹ The amount, quality and availability of professional staff services, physical facilities, character and quality of bill documents, explicit and detailed rules and procedures, generous salaries (\$19,200 a year plus fringe compensations), annual unlimited sessions, and an automatic calendar were identified as areas in which the California legislature excelled. The presence of high-quality professional analysis and advice from a full-time staff, which by 1971 had numbered 1,500 at an annual cost approximating \$15 million, had decreased the dependence of the 80 assemblymen and 40 senators on the traditional sources of information such as education lobbies and state agencies. Most notably, the legislative analyst's office uniquely serves the legislature as an independent research and analytical unit for all legislative proposals that involve money matters. In the area of educational policy the legislature has been quite active and has viewed itself "with some justification as the programmatic, innovative branch of government."²

Executive. The Governor of California is classified in most studies as at the upper range of power compared to his colleagues in other states.³ An executive budget has allowed the Governor and his Department of

Finance to carefully control the operation of state government. The chief executive has the power of line-item veto, extensive appointive powers and virtually unlimited tenure potential. These factors, as well as the ability of Governor Ronald Reagan to keep Republican legislators in line through control of political contributions, party apparatus, and re-election endorsement, have established the Governor as the preeminent power in the system.⁴

Governor Reagan has tended to concentrate his efforts on higher education policy, with a minimum concern at the elementary-secondary level. His public statements have stressed that public schools are a local problem, and that additional state funds are not likely to be spent effectively until LEAs are managed better. He did, however, concern himself with the issue of tax relief, to which educational finance was integrally tied.

State Education Agency. The structural characteristics of state education policy making in California have always enhanced the possibility of conflict and deadlock. The Superintendent of Public Instruction (SPI) is an independent constitutional officer elected in a non-partisan statewide election.* He is responsible for the execution of the policies which have been enacted by the State Board and for implementing the mandates of the legislature, i.e., upholding the State School Code. The California State Board of Education (SBE) consists of ten members who are appointed by the Governor with the advice and consent of the Senate for four-year overlapping terms. It is by statute the policy making and regulatory body for the education system. The State Department of Education (SDE) was created in 1921 by constitutional and statutory provisions to provide for state-level administration of the public school system.

*The SPI is synonymous with the term, Chief State School Officer (CSSO).

During the administration of State Superintendent Max Rafferty (1962-1970), the department's influence and authority with its constituents, the LEAs, was severely eroded due to the highly political activities of the SPI. In addition, the SBE and the conservative Republican superintendent frequently clashed over the philosophy of the state rule in education. The Democratic board appointments of then Governor Pat Brown pursued a more active policy-making role in direct opposition to Dr. Rafferty and did not hesitate to question the recommendations of professional educators. During the 1960's the legislature showed little hesitancy in intervening in administrative matters that would normally have been the prerogative of the SDE in other states. Legislative action, such as the insulation and subsequent removal of the administration of compensatory education from the SPI's control, characterized an enduring pattern of policy and legislation that was established during the Rafferty era.

Education Interests. Presently, fractional politics characterize the relationship among the four major educational interest groups which participate in the state policy making systems: California Teachers' Association (CTA); the Association of California School Administrators (ACSA); the California School Boards Association (CSBA); and the California Federation of Teachers (CFT).

The CTA is the largest of these interests, representing more than 60% of the professional educators in the state. While the CTA was once "a holding company of professors of education and superintendents,"⁵ it has become preoccupied of late with sponsoring teacher-welfare legislation. The CFT which represents only 15% or 25,000 teachers, mostly urban educators, has played a more indirect role in the policy systems. ACSA is a

relatively new union of all administrative groups that had once held power under the CTA umbrella. Its membership numbers approximately 11,000 or roughly 70% of the total potential membership. The CSBA draws its credibility from the fact that its memberships are locally elected officials, and, unlike other educational interest groups, it is not "a vested interest" lobby. And finally, California has not developed a cohesive, active or effective lobby among the large urban school districts for state issues.

EVOLUTION OF LEGISLATION

I. Background to Reform

As California entered the decade of the 1970's, a broad and unique array of preschool services were being provided under state sponsorship. California's major preschool and early education programs included: (a) kindergarten programs for all children 4.9 years and older; (b) children or child care centers; (c) compensatory programs sponsored under state and federal funding; (d) a state preschool educational program and migrant day care/preschool program; and (e) federal Head Start services.

California was one of only nine states in 1972 that mandated school districts to offer kindergarten.* This served 356,370 children (at \$730 per pupil) in 958 school districts.⁶

The State of California evidenced an early interest in preschool children by establishing in 1943 legal provisions for the maintenance of services for child care by the SDE. The purpose of the state's enactment

*It needs to be clarified that the state has the power (1.1) to mandate or (1.2) to authorize the offering of educational services by school districts, and (2.1) to compel or (2.2) to permit the attendance of children. No state presently compels the attendance of children below first grade, but nine states in 1972 mandated the offering of kindergarten programs by their school districts.

was to assist mothers working in war-related industries* and to provide "care and educational supervision for children from age 2 through elementary school years."⁸ As of 1970, the Children's Centers, which replaced the original Child Care Centers, were caring for 22,000 children between the ages 3-15 in 323 centers in 82 school districts at a cost of \$14.2 million. The preschool population was 47% or 10,328 children. Children of single parents comprised 75% to 80% of the attendance.

California passed its first State Compensatory Education legislation (the MacAteer Act) in 1963, two years prior to the federal Title I, Elementary and Secondary Education Act (ESEA). In 1970, compensatory programs served 9,317 disadvantaged preschoolers in 103 school districts with \$3.6 million in Title I support. One major difference in the development of California's preschool program concerned the role assigned to the California Department of Social Welfare (DSW). Under the 1965 State Preschool Education legislation, the DSW had been directed to contract with the Department of Education to establish preschool programs. During the 1969-70 school year, 14,706 children were supported by \$16 million which represented a \$12 million federal contribution under Title IV-A, Social Security Act 3 to 1 matching formulae.⁹ In 1969, the legislature provided for day care/preschool services for migrant children from three weeks of age to two years of age.

*Public Law 137, the Lanham or Community Facilities Act, was passed by Congress in June 1942 "to provide for the acquisition and equipment of public works made necessary by the defense program" and contained not a word about day care. In August 1942, as a kind of inspired afterthought, a ruling specified that child care centers in war-impacted areas could be considered public works. During the Lanham period the federal government spent \$51,922,977 (matched by \$26,008,839 from the states) on 3,102 centers, which served a total of 600,000 children. Forty-seven states took advantage of the program,⁷ although most centers were located in California, Washington, and New York.

In 1970 it cost the state \$1.5 million to service 932 children in 21 camps. And finally, there was the federally funded Head Start program, the largest of California's preschool programs. Some 31,585 preschoolers are being served at a cost of \$24.2 million in state and federal funds.

Thus, as California entered the decade of the 1970's, the role of the SDE in the early childhood area had been well established. Under the state's auspices over 78,000 (including approximately 66,000 preschool children*) were being provided a broad array of services at a cost of approximately \$60 million over and above the \$245 million allocated for public kindergarten in the state foundation programs.

II. Initiation of Reform

A. Superintendent's Initiative

During the 1970 campaign for election of the State Superintendent, Wilson Riles, the largely unknown opponent of the incumbent Max Rafferty, raised the issue of Early Childhood Education reform. Dr. Riles was disturbed by the deterioration of the California school system and, especially, by the "inverted pyramid" shape of school spending which provided less resources to the early grades than to the upper levels. His theme, "Why remediate when we can prevent the problem at an earlier age," struck a responsive chord among the electorate.¹⁰ On the night of his election, Wilson Riles provided the keynote to his new administration: "THIS VICTORY TONIGHT ISN'T FOR YOU AND IT ISN'T FOR ME. IT WILL BE FOR THE CHILDREN."¹¹

*This figure needs to be refined by subtracting out children in Head Start and Migrant Day Care Programs who may have been counted twice due to their enrollment in summer as well as a full year program. The resulting figure of 64,382 conservatively reflects the number of preschool children enrolled in 1969-70.

New Administration. After the election and in the first days of his administration, Wilson Riles directed his attention to three immediate problem areas: how to gain control over the quasi-independent bureaucracy that had developed during Rafferty's tenure as State Superintendent; how to resolve the political vacuum that existed between the CSDE and the Legislature; and how to re-establish leadership and unison among the professional education interests after a decade of division and conflict.

Immediately upon assuming office in January 1971, Dr. Riles' first action was to institute a major shake-up of the Department's six top officials, holdovers by virtue of the civil service from the previous administration. If the SPI hoped to initiate meaningful progress toward his educational goals, he had to demonstrate his ability and his intention to rebuild the SDE's administrative credibility with the legislature. A major strategy was the appointment of task forces as a mechanism for reorganizing the bureaucracy so that it would conform to the projected priorities of the new administration.*

The second area of concern addressed by the new Superintendent was the political image of the office of the State Superintendent and the role of the SDE. Dr. Riles sought accommodation with the Governor and state board by playing down their potential value differences, and refused to openly criticize the policy positions of other state policy makers,

*Subsequently, a series of task forces were established by the Riles administration: Departmental Accountability and Educational Leadership; School District Management Review and Assistance; School Lunch Program; Early Childhood Education; Basic Skills; Career Education; Bilingual-Bicultural; and Drug Abuse Prevention Education.¹²

especially Governor Reagan, in the hope that he could establish a base for negotiating their policy differences. He not only made his office a place where representatives from the education constituencies could come together, but also sought out two well-respected individuals, Marian Joseph and Harvey Hunt, who were skilled in the legislative-political processes as opposed to purely educational concerns, to head up the new legislative liaison function and to address the eight-year vacuum between the SDE and the Legislature. Finally, he moved toward reinstating the SPI's prerogatives in the formulation of state educational policy by announcing that Early Childhood Education (ECE) would be the second priority, behind school finance reform, and the major program initiative of the new administration.

Dr. Riles stated:

Research findings consistently document that as much as 50% of a child's intellectual potential is developed before he reaches school age and that 80% is developed by the age of eight. I am not satisfied that we have focused a sufficient portion of our energy and resources in this critical area.¹³

He announced that he was commissioning a blue-ribbon task force to develop a comprehensive, integrated Master Plan for Early Childhood Education for consideration during the 1972 legislative session.

The Emergence of Early Childhood Education. The initiation of ECE by the Superintendent is attributable to four factors. First, Dr. Riles' experience as an elementary teacher and principal and his tenure as Director of the Division of Compensatory Education provided him with a background for addressing this policy area. Secondly, the array of ECE programs in California provided the SPI and SDE with an experiential body of knowledge on which to base its policy decisions. A third factor was

the Superintendent's fear that unless drastic changes were initiated from within, public dissatisfaction would culminate in disastrous consequences for the institutions of public education. Thus, ECE was envisioned as "only the beginning to a total restructuring of K-12 educational system."¹⁴ And finally, the ECE provided the SPI with a vehicle for unifying people once more behind public education and for bringing together the splintered educational establishment. It also proved to be an opportunity for the new administration to demonstrate its intention to address the needs of all children—there was initial concern about Dr. Riles' "too narrow background," that is, his compensatory-orientation.¹⁵ Thus, ECE occupied a prominent place in the policy strategy of the SPI and he had his own expectations for the newly appointed Task Force on Early Childhood Education.

B. Task Force On Early Childhood Education

Mandate to Reform. The importance assigned to the Task Force on ECE was illustrated by the top-level selection committee comprised of Dr. Riles, Mrs. Marian Joseph, Dr. Milton Babitz, Chief Deputy State Superintendent and Mrs. Jeanada Nolan, MSDE. It was decided that Dr. Babitz would be appointed as chairman in order to signify the Task Force's importance in the eyes of the State Department. The remaining 24 members were selected based on their particular experience and research background, as well as their broad geo-political and constituency representation (political standards).

The strength of the group lay in the diverse backgrounds of the individual members, who represented a broad spectrum of specialists from

education, health, medicine, psychology and social welfare fields. The majority, however, had strong ties to public schools or the public education sector. Their task was to prepare a plan which included an articulated curriculum to serve as a model for preschool through third grade reform. Their mandate was not specifically research-oriented--"I don't want you to conduct a study. We have enough studies," noted Dr. Riles--but rather their task was practical and well defined:

Let's presume that there are no programs in California for preschool, first, second, third grades at all. Design a program to assure that by the end of the third grade or by the time a child was eight years old, he would have mastered the basic skills; he would be excited about learning and would not have been turned off by the system.¹⁶

The Internal Dynamics. The Task Force experienced much difficulty in its early stages. While the chairman attempted to proceed immediately toward the task at hand, i.e., developing the master plan, by proposing to divide the membership into work groups (subcommittees) with specific task assignments, a number of members resisted and called for a more open-ended and exploratory discussion of the ECE issue prior to formalizing or moving on to the work phase. Moreover, what was realistic and essential to some members seemed impractical and tangential to others. This was perhaps best illustrated in a stand taken by newspaperman Dan Moore, who served as a major source of stimulation and inspiration to the group.

The aversion to mentioning publicly that one of the goals of early education might be "happy" as well as competent children alarmed me. The suggestion that the press might pick this up and that we would be criticized by some citizen groups or the State Legislature should not worry us . . . Our charge was to present a bold plan for early childhood, not win a popularity contest.¹⁷

This points up a central feature of the Task Force process. The major positions advocated by the participants were often a product of the experiences, intuitions, and the consensus of this group. The Task Force did not view its purpose as assembling an arsenal of research justifying a particular stand, nor did they proceed in ignorance of research evidence. Research was rather filtered through their broad experiences and insights into the topic at hand, as acknowledged in their statement of philosophy:

The past decade has produced a new body of educational, psychological, and medical research documenting the critical importance of the first 8 years of life. And we are convinced that these early years are critical in determining the future effectiveness of our citizens and in the long-range prevention of crime, poverty, drug addiction, malnutrition, neuroses and violence. Even though research is still in progress and conclusions continue to evolve, we believe there is enough evidence to indicate that the following actions are clearly warranted now. (Emphasis mine.)¹⁸

A major turning point in the Task Force process occurred during a three-day work conference held at Stanford University in July. The outcome of this session, noted a participant, was a fusion of interest and a faith that they were making a right decision to help children.¹⁹ The doubts and lack of direction that had impeded the earlier one-day meeting were no longer a factor. They completed two important pieces of business. First, the major points of their reports were finalized. Secondly, the Task Force became so convinced of the crucial nature of its recommendations that it "resolved to continue as an independent implementation committee dedicated to seeing to it that effective legislation shall be enacted next year" [1972].²⁰

Critical Issues. Three major issues consumed much of the Task Force's energy: the nature and content of the ECE program; the 4-year-old issue; and the definit . of the parental role. The Task Force divided into two schools of thought on the program content issue. On the one hand, there were those members who advocated a cognitively oriented curriculum: "I wanted to make sure that the program we initiated would in some way measure the child's growth. I want a method and I want people to be accountable."²¹ On the other hand, a number of participants stressed the need for an open, affective program orientation. These individuals were afraid that an ECE program that stressed reading as a skill, for instance, would result in giving children a feeling of failure at an earlier age.

Concerning the second issue, the Task Force debate surprisingly did not center on the merits and demerits of including 4-year-olds within the scope of the ECE program, but rather on whether there should be a recommendation for compulsory attendance.

Ultimately, in the early drafts of the final report, there was strong sentiment that all parents would be given the opportunity to send their children to a program for 4-year-olds, but that the kindergarten experience (5-year-old) should be defined as compulsory. As a participant noted, "the group came to this consensus based more on a feeling than research evidence."²² There was a strong sentiment "to make sure that children take advantage of it" [the ECE program].²³

The third issue that elicited much thought from the Task Force was how to define the parental component of the ECE formula. Some saw a need for strong parent goals, while others defined the problem in terms of a concern over the question of professional flexibility and of parents as decision makers. In their final report the Task Force did attempt to

insure a viable parent-community component through the use and establishment of school ECE advisory councils and required parent education.

The Translation Process. The responsibility for writing up the final report, unfortunately, was delegated to a single individual outside the Task Force. Dr. Dorothy Blackmore, of the State Department, who was only brought on board in August (following the sudden illness and subsequent death of the chairman), was assigned this responsibility. At the same time Mrs. Jeanada Nolan assumed the role of chairman of the Task Force and guided the project to its completion over the final stages. Mrs. Nolan's more informal and participative style was viewed by several members as providing a significant stimulus from the Stanford conference onward for encouraging more independence and self-expression among the participants.

The Task Force Report evolved through three translations or drafts. From the initial write-up which was produced by Dr. Blackmore in late August from a set of working papers completed at the Stanford conference, through the final presentation to the State Board in November, the document evidenced the prerogatives of Dr. Riles and his desire for "a report ... that I can implement."²⁴ This can be illustrated by analyzing the translations in three areas. First, a number of members expressed a strong reaction to the overly academic or cognitive tone and the de-emphasis of the more affective elements in the final document. A second issue that disturbed some members was the decision to accept 3.9 years as the beginning age for the program. This was certainly not an accurate reflection of the desires of the Task Force members who had proposed an open-ended entrance, at least for 2-year-old and older children. Similarly, a Task

Force recommendation that enrollment be voluntary until the age of five, i.e., all children should be compelled to attend school beginning in kindergarten, was overruled by the Superintendent's staff.²⁵ They feared an adverse public reaction against the proposed extension of compulsory public schooling to include kindergarten-aged children.

The third area had to do with the decision to attach to the final report a 25-page detailed review of research findings. This was added, however, between the second and final drafts by Dr. Blackmore, and this "eleventh-hour grafting" raised two concerns: first it created an inaccurate impression that the Task Force had completed a comprehensive review and evaluation of the ECE literature from which their policy recommendations were developed; and secondly, it was not possible to link the diverse research evidence cited in this section to the individual policy recommendations. Thus, the final document captured only elements of the Task Force process, those features that were determined to be reasonable by the final editors. The Final Report played down the intuitive nature of the Task Force process by presenting this misplaced emphasis on research findings.

Major Recommendations. In early November, Task Force member Dan Moore opened his formal presentation of the Task Force Report to the SBE in the following manner:

...We were convinced that remediation of problem people has failed to solve social problems; that only prevention of problem people can save our society from chaos... Remediation is not the answer. Prevention is, and by age 5 it may already be too late.²⁶

He outlined the basic recommendations advanced by the Task Force:

1. All children in California between the ages of four and eight should have the opportunity to be served by a publicly supported primary school.
2. Goals must be clearly defined so that the results of the program can be evaluated.
3. Adequate funds must be allocated for the successful operation of the proposed expanded primary school.
4. The primary school must become a community educational center, combining all the resources of the family and the community in order to serve children and their parents.
5. Parent education and involvement must be an integral part of the primary school program.
6. An environment appropriate for primary education must reflect the nature and needs of the young child.
7. The pupils' medical, dental, and nutritional needs should be met, and social services, day care, and counseling must be made accessible.
8. The preparation of staff for early childhood education should receive continued emphasis in California.²⁷

C. Implementation Plan

State Department Response: ECE Proposal. To keep their recommendations from dying on the shelf, a fate of many similar reports, the Task Force called for the formation of a State Department of Education implementation team and the creation of an Early Education Advisory Committee in each local school district. Dr. Riles appointed a departmental team to design the administrative framework necessary to convert the Task Force's recommendations into an effective program, and to assess funding requirements of the new program.

Part One of their Report, "The Early Childhood Education Proposal: A Master Plan to Redesign Primary Education in California," set forth the goals, program considerations, and alternatives to be considered by each school district in developing a master plan for Early Childhood Education. It attempted to capture the imagination and commitment of community and professional representatives by recognizing that the greatest potential for success of the new primary school program rests with persons within communities and school districts. The plan called for local school districts to develop their own plan for ECE that was consistent with both state guidelines (nine factors of program development) and the unique needs of their communities. There was a planned phase-in period, with no more than 25 percent of the district's schools to be initiated into the program during any one year. And, most critically, expansion of the program was to be authorized only after substantial achievement of initial program objectives had been demonstrated by an independent state evaluation.

The implementation team, in Part Two of the Plan, detailed their strategy for funding school districts and their legislative proposals. The price tag for the new ECE program was high, with an annual expenditure of \$352,921,915. A phase-in strategy was adopted requesting an initial appropriation of \$52.9 million to serve a random 15% of the population (see Table 4*). While the proposed increase in the foundation support for the present K-3 grades of \$130 for non-disadvantaged children and \$195 for

*These tables were published by the SDE in early 1973. They represent an adjusted and more understandable version of the original tables which were developed in March 1972.²⁸

Table 1
Projected Attendance in the Early Childhood Education Program
in California, 1972/73 Through 1976/77

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Level	Estimated a.d.a., by type of pupil			
	Nondisadvantaged	Disadvantaged	Special education	All pupils
Early primary ^a	121,850	121,850	— ^b	243,700
Kindergarten	157,903	157,902	3,200	319,095
First grade	169,757	169,756	3,290	342,803
Second grade	172,613	172,612	7,677	352,902
Third grade	173,227	173,227	7,677	354,131
Totals	795,350	795,347	21,934	1,612,631

^aThe figures for this level have been calculated at 75 percent of the potential a.d.a.

^bSpecial education pupils have been included in the attendance figures for "nondisadvantaged" and "disadvantaged" early primary pupils.

Table 2
Proposed Financial Support for the California Early Childhood Education Program, Per Unit of Average Daily Attendance

Level	Current foundation support		Proposed new grant		Total	
	Nondisadvantaged	Disadvantaged	Nondisadvantaged	Disadvantaged	Nondisadvantaged	Disadvantaged
Early primary	\$ -0-	\$ -0-	\$500	\$600	\$500	\$600
Kindergarten	340	370	130	195	500	565
Primary (grades one — three) ..	400	400	130	195	530	595

Table 3
Estimated Cost for a Fully Funded Early Childhood Education Program,
Utilizing Existing Foundation Support and Proposed New Grants

Type of pupil	Current foundation support, by level ^a			
	Early primary	Kindergarten	Primary (grades one — three)	All levels
Nondisadvantaged	0	\$59,032,760	\$209,967,800	\$269,000,360
Disadvantaged	0	59,032,390	209,966,400	268,998,790
Total				\$537,999,150

Type of pupil	Proposed new grant, by level ^b			
	Early primary	Kindergarten	Primary (grades one — three)	All levels
Nondisadvantaged	\$60,925,000	\$20,527,390	\$ 67,027,610	\$148,480,000
Disadvantaged	73,110,000	30,790,890	100,541,025	204,441,915
Total				\$352,921,915

^aThese figures include foundation support for special education pupils.

^bThese figures do not include grants for special education pupils.

Table 4
Annual Appropriation of the Proposed New Grant
for the Early Childhood Education Program
over a Five-Year Phase-in Period

Fiscal year	Annual appropriation		Cumulative total
	Amount	Percent of five-year total	
1972-73	\$52,936,287	15	\$ 52,936,287
1973-74	70,584,383	20	123,522,670
1974-75	70,584,383	20	194,107,053
1975-76	70,584,383	20	264,691,436
1976-77	88,230,479	25	352,921,915

Table 5
Estimated Transportation Costs over a Five-Year Phase-in
Period for the Early Primary Children Enrolled
in the Early Childhood Education Program

Fiscal year	Transportation costs		Cumulative Total
	Amount	Percent of five-year total	
1972-73	\$ 869,824	15	\$ 869,824
1973-74	1,159,766	20	2,029,590
1974-75	1,159,766	20	3,189,356
1975-76	1,159,766	20	4,349,122
1976-77	1,449,707	25	5,798,829

disadvantaged children represented a 40% or \$219 million increment. The major new expenditure, however, involved the cost of initiating new programs for 4-year-olds at a projected cost of \$134 million with proposed grants of \$500 and \$600 to respective non-disadvantaged and disadvantaged 4-year-olds. (See Tables 2 and 3.) As it was noted in the California Journal, the overall restructuring of the primary unit was expected to require a period of several years with the state setting the framework, providing leadership and resources, and evaluating district programs in terms of their achievement of state and local objectives.²⁹

D. Response of Education Policy Makers

Dr. Riles had secured a strong mandate from the highly visible blue ribbon committee to make ECE his top educational priority. He could now move forward, utilizing the Task Force Report as his springboard, to provide the leadership sorely needed to unify the badly fragmented educational interests in support of this well-defined educational issue, i.e., the reform of primary education in California. The Task Force Report had captured the imagination of the public and established a tremendously supportive climate for initiating the ECE reform.

A Dissenting Voice. In early January, the SDE received an unexpected visitor, Dr. Raymond Moore, President of the Hewitt Research Center.* His purpose in contacting the SDE was to express his concerns

*Due to the unannounced nature of Dr. Moore's visit, the appropriate SDE officials were not available on this day. A staff person did promise to relay Dr. Moore's concerns to Dr. Riles, et al.

over the direction that the recently published Task Force Report had recommended for state ECE policy. Dr. Moore provided the SDE with a draft of a research report that charged that the Task Force had not systematically analyzed available research evidence and the interrelationships of the facets of available research, e.g., maternal deprivation, neurophysiological maturity, studies on students who entered school at an older age. Based on the research reviewed in the document, the Hewitt Report concluded that there were "better and less expensive" alternatives (than the California Plan's emphasis on formal schooling for 4-year-olds) to provide a program of Early Childhood Education, but that additional research was needed.³⁰

Department Reaction. The response of the SDE policy officials to this criticism was understandably one of skepticism and anxiety. They were, in a real sense, taken back by the nature of the Hewitt challenge, i.e., a counterattack which assembled research evidence that challenged the adequacy of the research foundation for the proposed California Early Childhood programs. To question the merits or foundation of the ECE proposal, at this late stage in its policy development, presented a potentially fatal threat to this policy initiative, as well as to the entire national ECE movement which had been gaining momentum and cohesion over the past decade.

The Superintendent did mobilize the SDE research capacities. A university consultant was also hired to review the document. The detailed response concluded that there was little "new evidence" in the Hewitt Report, and no reason to delay seeking legislative approval for the ECE initiative.³¹ ECE advocates totally discounted the Hewitt research as a well-orchestrated attempt at "partisan analysis," that is, the use of research in such a

manner as to support a predetermined position. The lack of any prior questioning within the educational establishment on the ECE issue had obviously created a situation where the California proponents of ECE felt that all "right-minded" people were on their side. The climate of the times worked against any substantive discussion of the merits or demerits of this policy issue.

Furthermore, SDE officials postulated a conspiratorial interpretation to this event. They viewed the Hewitt Report as part of a large strategy by some "unknown opposition"—whoever was sponsoring the research—to sabotage their impending legislative proposal. Thus, in the early spring, they anxiously awaited the public release of the Report, and when the Hewitt Report did not immediately surface, the SDE became convinced that this was a further sign that the opposition was in fact motivated out of self-interest, i.e., political and philosophical motives, rather than any rational or research basis for challenging the ECE proposal. They attributed a devious but sophisticated purposefulness to their "unknown opposition."³²

State Board of Education Consideration. During the early months of 1972, Dr. Riles dedicated his attention toward a concerted effort to secure the educational establishment's support in behalf of the ECE proposal. It was his belief that consensus of the educational interests would be crucial in his delicate negotiations with the legislature and, especially, with the Governor's office. Therefore, the formal approval of the SBE, while not a prerequisite,* was an important step in his strategy of consensus building. The ECE proposal faced no major obstacle in securing SBE support.

*The CSSO is responsible to the SBE, but he does have the opportunity to present to the legislature his own package of legislative recommendations, apart from the policy positions of the SBE.

The Superintendent had done a masterful job of building up support for this initiative prior to the SBE consideration, i.e., the Task Force documentation and numerous endorsements by prominent experts supporting the Superintendent's initiative as well as an overwhelming positive response of the general public to the ECE idea. At the March 2 special meeting of the Legislation Committee, approval was given that a spot bill* be entered for the ECE legislation. In response to the concerns of two board members, Mr. Gene Ragle and Mr. Clay Mitchell, that the program appeared very expensive (an added \$352 million price tag for 1.6 million children aged 4 to 8), Superintendent Riles replied:

We're trying to reverse this business of putting the most money at the top level of education and putting it at the bottom. Over the long run it will be much cheaper.

The millions we now spend for remedial education are not productive. Investment of some of this at lower levels will save both money and children.³³

The board then moved that legislation embodying the plan for ECE be prepared and brought back to the Legislation Committee and the board for "criticism, discussion and approval of the plan" at its April meeting.³⁴

Formal Approval. At the April SBE meeting, upon the Legislation Committee's recommendation, two landmark school reforms were approved by the full board: the SDE drafted Early Childhood Education legislation, which called for the opening of classrooms to 4-year-olds, with one

*"Spot" bills are submitted with the intention to be amended as specific plans are developed, i.e., Superintendent Riles preferred to wait for the formal review and approval by the State Board of Education before introducing the specifics of the ECE legislative proposal.

dissenting vote*; and a far-reaching plan for equalized financing of public education under a statewide property tax.

It is somewhat ironic that the only reference to the merits of the 4-year-old component during the April State board hearings was raised by Task Force member Professor Edith Dowley. During her presentation she advocated the beneficial aspects of the ECE proposal in fostering a closer relationship between mother and child through direct parent involvement in the school. This was a direct reaction to the position espoused by the as yet unpublished Hewitt Report that the separation of a child from his/her mother at this age would have a potentially damaging effect on the child's development. However, the significance of this precedent-setting decision by the SBE was not lost to the general public. The Los Angeles Times' headline for April 15 boldly captured the controversial nature of the 4-year-old issue as a public concern. Its inch-and-one-half boldface headline read: BOARD OKAY'S SCHOOL FOR 4-YEAR-OLDS.³⁵ (This was a reference to the SBE's approval of the State Superintendent's ECE plan.)

III. Legislative Decision Making

A. Substantive (Program) Analysis of ECE

The New Alliance. As the 1972 legislative session opened there were signs that unlike the past few sessions a favorable environment was developing for addressing a number of critical policy issues, notably, tax

*Conservative board member, Mr. Clay Mitchell, South Laguna, opposed the legislative proposal on fiscal grounds.

reform and school finance. It was within this larger sphere that Superintendent Riles developed his battle plan. The State Superintendent called a "Crisis Summit Conference on School Finance" on May 22, which served to fuse the 13 major state education associations into a new alliance, the Educational Congress of California.* This coalition would launch the fight for a massive increase in state support for public schools, i.e., school finance reform, and would assist the Superintendent's efforts in behalf of Early Childhood Education legislation.

ECE Legislative Strategy. Partly due to the inexperience of the SDE legislative staff, and partly due to the popularity of this highly visible issue, the SDE staff was forced to divide the ECE legislative program into three companion bills to accommodate the several major legislators who declared an interest in carrying the program:

Assembly Bill No. 1236, authored by Assemblyman Cory, et al. contained the program structure and funding provisions for Early Childhood Education programs;

Assembly Bill No. 1429, authored by Assemblyman Dunlap, et al. provided the authorization and funding for the transportation component of the program; and

Senate Bill No. 1302, authored by Senator Dymally, et al. provided for child care services to be coordinated with Early Childhood Education programs.

*The Educational Congress of California was an umbrella organization composed of: the state Parent-Teacher Association; the Association of California School Administrators; the Association of California School Districts; the California School Boards' Association; the California Federation of Teachers; the California Teachers' Association; the California State Employees' Association; the League of Women Voters; the American Association of University Women; and the United Teachers of Los Angeles.

The ECE legislation reflected the department's prior program experience, especially Title I, ESEA Administration, and it incorporated a number of complicated concepts in one package: (a) universal eligibility criteria; (b) local control; (c) parent-community participation; (d) pilot funding and a phase-in time line; and (e) accountability. "However, we never said it would work," observed a high CSDE official. "But public education was in trouble and schools were failing. We (SDE) responded in the best way that we thought possible."³⁶

The Politics of ECE. The ECE bill was the first major attempt at filling the vacuum that had existed between the legislature and the SDE, as well as the chance to reaffirm the State Superintendent's role in the formulation of state education policies. On May 10, the State Superintendent made a personal appearance before an Assembly Education Subcommittee hearing to testify in behalf of AB 1236 and to urge that the legislature and the people of the state "make a long-range commitment of funds to the proposition that the first eight years of life are the most important period in determining the future effectiveness of our citizens."³⁷ His unprecedented action (especially, following the Rafferty-era vacuum) was greeted positively by the majority of the legislators. "This was his first initiative," noted a staff member, "he wanted it (ECE), the members were willing to give him his vehicle."³⁸ In the Senate Education Committee hearing on SB 1302, the initiative of schooling for 4-year-olds provoked a strong exchange between the SPI and the conservative Republican Senators, notably Sen. John Harmer. The opposition was basically philosophical. They perceived the ECE plan as a move to advance the state's influence over the

minds of the young. "More time for the state to bend our twigs and aim our arrows," wrote conservative columnist Rus Walton, referring to the "socialistic" tendencies of this type of state policy.³⁹ And, interestingly, while the opposition also accepted the importance of these early years, they argued for a different policy response. They opposed further state encroachment on the grounds that "good public policy requires that we enhance rather than diminish both parental authority and parental involvement with children."⁴⁰

On May 30, the very day that Dr. Riles chose to formally announce his ECE plan to the sponsoring legislators and a battery of notable endorsers in a Sacramento press conference, the San Jose Mercury reported that the Gilroy school board members had expressed antagonistic attitudes toward the pending legislative bills: "Four is much too young to take a child from the parents."⁴¹ One board member questioned whether "the reasons for starting youngsters at the much younger age might be to create more teacher jobs," noting that there was "an overabundance of teachers on the labor market."⁴² Thus, as a bill co-sponsor, Senator Donald Grunsky expressed in a letter to Harvey Hunt, SDE Legislative Coordinator, "It appears that we will have a large selling job to perform before being fully successful with the legislation."⁴³

Legislative Scrutiny. The highly independent legislature did find two elements of the legislation innovative and appealing: first, the strategy to use the program as a lever to reform the system; and secondly, the phase-in concept which would allow gradual implementation and legislative reevaluation. The Task Force report, on the other hand, had not

impressed the General Assembly membership nearly as much as it had the general public. "Too general...the language and ideas were not new" were comments often expressed by legislators and their staff people.⁴⁴

Since the California legislators were used to dealing in a very prescriptive mode with the lowly regarded Rafferty administration, they were uneasy with the SDE's "carte blanche" approach, i.e., their intention to provide local units with a broad and flexible framework for addressing the reformation of early education. They advocated more specificity in defining who would get the funding--how the dollars would be dispersed. The subsequent modification process caused a good deal of tension between the sponsors, their staff and the SDE, especially Assemblyman Cory, sponsor of AB 1236. He authored several amendments in the House Education Committee which defined the ECE concept, the eligibility criteria, the parent component, pupil objectives, and the use of federal funding.

The lack of coordination between the individual sponsors and the respective bills was the first indication that the SDE strategy was weakening. After much exasperation in delicate negotiations, the decision was made in mid-June to concentrate on SB 1302, which had passed the Senate Education Committee on June 20, as the ECE legislative vehicle. In a letter to Senator Dymally, Dr. Riles exhorted the Senator's continued support in behalf of the legislation:

I hope all of the confusion regarding the introduction of the Early Childhood Education Bill is resolved now. I appreciate your patience with us and your willingness to carry the bill. We're working hard on the Senate Finance Committee and I am counting on SB 1302's passage.⁴⁵

It was in the Fiscal Committee that the brunt of the Reagan administration's influence came to bear on the ECE legislation. The SDE had expected formidable opposition in the Senate Finance Committee for no other reason than the dollar implications of their bills. It was the Department of Finance's responsibility to review the fiscal impact of all legislation and to articulate the Administration's position. In late June, just prior to the committee's consideration of SB 1302, Ken Hall, Deputy Director, informed Senator Dymally, the sponsor, that "we regret that we must oppose your legislation."⁴⁶ The Department's opposition to AB 1236/SB 1302 centered on two concerns: the bill's implementation and delivery system, and the provisions for long-term commitment of substantial state funding without the requisite statistical data.

- . It (SB 1302) mandates statewide implementation of complex, expensive, largely undefined, and variable programs before such programs are tested in terms of their program and/or economic feasibility and in terms of public acceptance.
- . It mandates the inclusion of voluntary school programs for "regular" pupils one-year younger than currently provided. At the same time the existing (K-3) program is to be restructured.
- . It appropriates \$1,007,418,561 over the next six years and thereby eliminates the program from annual legislative and executive review during its developmental period. Also, its funding provisions assign fixed amounts of funds in future years without advance knowledge of future economic revenue, and enrollment conditions.

On June 30, the day of the Finance Committee's consideration of SB 1302, Dr. Riles again made a personal appearance to present the SDE provision. And despite the opposition of Senator Collier, the Chairman, who voiced a strong plea for fiscal restraint given the constraints facing

the Committee, the proponents won this first critical test. They had displayed their initial strength in overruling the Finance Chairman in his own committee. On July 7, the ECE bill passed the upper house by a 22-6 vote.

B. The Four-Year-Old Issue

The Opposition Surfaces. On Monday morning, July 17, the day SB 1302 was introduced in the Assembly, Robert Burke, a member of the Education Committee who was philosophically opposed to the early education concept, disseminated to each of his colleagues a reprint from the June issue of Phi Delta Kappan, a national educational journal, entitled, "The California Report: Early Schooling for All?" authored principally by Dr. Raymond Moore of the Hewitt Research Center. The article, which was a popular version of the earlier research report, was highly critical of the California Task Force Report and policy planners for having "either overlooked or ignored or seriously misinterpreted responsible research" that suggested the possible damage to young children of the early schooling.⁴⁷ The formidable costs of investing in the potentially damaging school-based programs for all children were challenged not only as an inefficient allocation of the public's tax dollars, in comparison to home-based or parent education alternatives, which were less expensive and supported by more definitive research, but also as a dangerous and unjustified dilution of scarce resources for children with recognizable and well-documented needs, i.e., the exceptional child and special education programs.

In one penetrating thrust, Assemblyman Burke had challenged the dogmatic foundation on which the ECE programs had been erected, i.e., the Bloom thesis which supported the belief in "the critical importance of the first eight years of life."⁴⁸ But the most important consequence of Assemblyman Burke's action (and I emphasize the singular nature of this initiation) was that it mobilized a heretofore largely latent constituency (legislators) who opposed this bill for any number of reasons, e.g., political, social, philosophic, or financial, into the legislative fight. Armed with this competing arsenal of research rationales, fierce opposition now materialized as the Assembly Education Committee prepared for hearings on SB 1302.

An intense controversy arose over what kind of early schooling, if any, deserved priority for state funding. The intensity of the public debate over the 4-year-old issue increased as the "specter of the school taking young children away from their parents" was made more visible to the citizenry.⁴⁹ Within this highly emotional and rhetorical context, the Superintendent's liberal orientation served to further threaten many anxious parents: "Riles foresees the day when all children will be placed in state-operated 'development centers' at age 2."⁵⁰ ECE proponents, on the other hand, interpreted the publication of the Hewitt Report as "an attempt to torpedo the program."⁵¹ The architects of the California ECE plan felt that the Hewitt Report attacked a "straw man," that is, the false image of children enrolled in school as now exist, the image of the highly academic-oriented program, and the image of children doing those things not appropriate for 4-year-olds. The California Plan was not more of the same, they contended, but an attempt at creating something new

and different in a holistic fashion for 4- to 8-year-olds.

While it was difficult in those first few days following Burke's initiative to assess what overall effect such widespread negative publicity would have on the fate of the pending ECE bill, the action taken by the Assembly Education Committee within the week sent a cold shudder through 721 Capitol Mall, the SDE headquarters. In the face of the strong threats by the opposition to kill the entire bill, a strategic compromise was worked out with the State Department of Finance that drastically changed the total complexion of the bill. On July 25, a set of 49 proposed committee amendments were adopted which incorporated five major revisions in the Superintendent's ECE plan, SB 1302:

1. No programs for four-year-olds may be established before 1975-1976.
2. The SBE must certify that the district's kindergarten through third grade program has been completely restructured prior to the initiation of a program for younger children.
3. The budget for such programs must be approved by the Legislature. Funding was made available for a two-year period: FY1973-74 at \$25 million and FY1974-75 at \$40 million, with \$250,000 for administration by the CSDE.
4. The CSDE was required to present a report to the Legislature early in 1975 Legislative Session, with "evidence supported by research and documentation" that classes for four-year-olds will be of educational benefit.
5. The Legislature may delay the implementation of the program beyond 1975-76 by simple resolution of either house.⁵²

The committee's rationale, beyond the obvious political considerations, was to allow the public schools the lead-time necessary to improve and restructure their basic K-3 program, before diverting needy resources

and thought to the 4-year-old component. "The CSDE really wanted it" (the 4-year-old component), noted a committee consultant, "but they were willing to be realistic. They thought through their calculus--it was not worth all the risks."⁵³ Better to lose this amendment battle than risk losing the entire initiative!

Eleventh-Hour Politics. On July 26 an SDE mailing that included the point-by-point rebuttal of the Hewitt Report, a five-page enumeration of individuals and groups endorsing the legislation, and a set of eleven solicited letters of testimony was delivered to each legislator. With this bit of moral support, the ECE proponents succeeded in passing two separate amendment adoptions. The former was little more than a refining of the language of the funding formula in Section 10 of the bill. The second, on July 31, however, represented a major transformation of the original Assembly Education Committee amendment. It removed the power of the Legislature to delay the implementation of the 4-year-old components after 1975-76 by a simple resolution of either house and thereby firmly re-establish that upon the enactment of SB 1302 substantive authorization for ECE would reside with the SDE/SBE. Moreover, by inserting the language, "The State Board of Education shall not authorize...classes for pupils 3 years, 9 months...unless funds are appropriated to specifically support such a program," the ECE leadership now only had to negotiate in the 1975 Legislative Session a single "line-item" appropriation to reactivate the controversial 4-year-old component of the legislative authorization.⁵⁴ Thus, as the legislation now stood, the ECE proponents would not have to reintroduce in 1975 substantive legislation and fight the long

battle through the committee apparatus to implement the 3.9-year through 8-year-old program as originally conceptualized by Dr. Riles.

The significance of the July 31 revisions did not go unnoticed to a number of concerned legislators, notably, Assemblyman Leroy Greene, Chairman of the Assembly Education Committee and architect of the original compromise (July 25 amendment). On August 4, the last day of the session, with the help of Assemblyman Russell, Republican, a "third column"* outmaneuvered the exhausted SDE legislative staff and their battle-worn legislative allies. By shrewd use of procedural regulations, this "minority faction" was able to push through a devastating amendment to SB 1302. Due to the successful tactics of the "third column" leadership, the SDE staff was able to muster only 31 votes on the Assembly floor when the amendment was brought before the lower house. A coalition of the "third columnists" and staunch opponents of ECE produced enough votes (38) to carry the amendment. They then moved SB 1302 through its third reading and to its ultimate approval that same evening. The amendment deleted the last nine words of the July 31 amendment and substituted the following provision: "(Unless) authorized by an Act other than a Budget Act, appropriating funds to support such programs."⁵⁵ The net result of this maneuver

*This metaphor, the "third column," refers to those 13 pro-ECE legislators who were unconvinced about the merits and wisdom of initiating programs for 4-year-olds, and therefore were largely responsible for the original compromise amendments, especially No. 20 and No. 49 on July 25. The first and second columns would be the loyalists (those legislators who had supported the ECE bill on each vote) and the enemy (those legislators who opposed the ECE bill on each vote). My schema was abstracted from an analysis of the two crucial votes taken in the Assembly on August 4, 1972 on SB 1302.

was that it now obliged the proponents of the 4-year-old component to introduce substantive legislation in the 1975 Legislative Session if they wished to include programs for 4-year-olds in the ECE programs for 1975-76. The full review of the legislature on this critical issue was once more guaranteed by this amendment.

C. School Finance Issue and Coalition-Building

If we wish to interpret the crucial events surrounding the politics of SB 1302, we now need to reconstruct the broader political circumstances that were confronting state policy makers during the 1972 legislative session. As we noted previously, there were signs that a favorable environment was developing for addressing a number of crucial policy issues, notably tax reform and school finance. Our attention must now turn to politics of school finance reform and to the policy negotiation between the Governor, the legislative leadership and the State Superintendent.

Policy Concerns. In his early proposals, notably the 1970 tax reform measure, Governor Reagan's position had reflected his philosophy that "it was the taxpayers who faced a fiscal crisis, not the school districts."⁵⁶ He remained unconvinced of the need for a large infusion of new money for school or large-scale tax changes to finance equalization of school revenue. However, following upon the failure of his legislative proposals, the Governor's position moved from this rigid doctrinaire stand and began to be more reflective of the political realities. Similarly, the legislative leadership, especially Speaker Bob Moretti, desired a tax

reform package since they felt that "the legislature was getting a bad image by killing property tax relief bills."⁵⁷ The Speaker sought new money for school finance with the bulk of the funding earmarked for equalization. We concur with the observation of a recent investigation that by 1972 no other issue preoccupied state government and the total public elementary and secondary community, including the major educational and non-educational interest groups, like the issue of tax reform and school finance.⁵⁸

Two events also emerged to move the key forces from their previously fixed policy positions. In August 1971, the California State Supreme Court ruled in the Serrano decision that the method of financing public education in California was in violation of the equal protection clause of the 14th Amendment. The second stimulus for tax and school finance reform was a proposed ballot proposition sponsored by Los Angeles county assessor, Phillip Watson, that sought to amend the state constitution to limit property taxes to \$825 per student. This direct initiative was in reaction to the legislature's continued inability to resolve this problem. A well-respected state official summarized the political circumstances as follows:

You had a number of unique conditions that all fell into one place at the same time. There was a powerful Speaker with ambition to be Governor. The Governor, like the Speaker, felt intense pressure to deliver on this issue which past failures reenforced. The Serrano decision had just recently been issued. Federal revenue-sharing arrived in the largest amount we had hoped for. The State surplus proved larger with each consecutive estimate.

The Governor was originally interested in tax rate limitations but Serrano created the need for a larger package with more state spending.⁵⁹

Political Compromise. The stage was now set for the crucial policy negotiations between the Reagan/Moretti alliance and the education lobby represented by the State Superintendent and the urban lobby represented by Assembly Ways and Means Chairman, Willie Brown. Wilson Riles' careful attention to the rebuilding of the education interests into the Education Congress enhanced his bargaining position, and he was able to negotiate the inclusion of his ECE program (appropriations of \$25 million for 1973-74 and \$40 million for 1974-75) into the Ways and Means Committee amendments to SB 90 on July 31 in exchange for his enthusiastic backing of the compromise school finance package.⁶⁰ At the same time, negotiations with the urban lobby, notably, Representative Willie Brown, Chairman of the Assembly Ways and Means Committee, resulted in the inclusion of special assistance for urban schools which was initially funded at \$30 million for two years. (However, this would be raised to \$40 million and then to \$82 million in the final legislation.)⁶¹

The lobby muscle of the education coalition and the energy of the SDE legislative staff was now directed in these final crucial days of the session toward the Senate, particularly at securing the four "swing" votes needed for the two-thirds number of 27 votes.* However, Dr. Riles and his school allies suffered two defeats on August 3-4: first, while they concentrated their energies on SB 90 in the Senate, the Russell-Greene counter-amendment succeeded in modifying SB 1302 in the Assembly (see page 124); and secondly, they initially failed to convince the "swing" pro-education

*Tax measures required a two-thirds approval of both houses.

senators to accept this compromise school finance package in lieu of a more complete and equalizing plan. However, during the fall recess, Dr. Riles did not let up in articulating his compromise position on SB 90 among his constituencies:

It is possible that some will say this increase (for schools) is not enough and that others will say it represents too much. But, I ask today that all parties involved consider the impact this far-reaching reform in public school finance will have for the children of the state and encourage them to look favorably upon this proposal.⁶²

Upon the return of the legislature in November, the school lobby reasserted its political viability by delivering the necessary "swing votes" to pass SB 90.

D. Superintendent's Leadership

Crucial Negotiations. The school finance/tax reform issue provided the State Superintendent with an opportunity to influence the allocation of additional state resources for public education. Dr. Riles personally lobbied the Governor, who had not taken a public stand as of early July, to convince him of the need for this program (SB 1302) and the necessary appropriation (SB 90). Early in the negotiations, however, the 4-year-old issue was a major impediment to a productive dialogue. The administration's conservative political constituency, noted an SDE participant, seriously bounded the options available to them.⁶³

The initial breakthrough came following the Assembly Education Committee's action to postpone implementation of the 4-year-old component and to endorse a two-year pilot program focusing only on kindergarten

through third grade. While this modification was a major defeat for Dr. Riles and the ECE proponents in terms of their program philosophy that early schooling (beginning at age four) was crucial to the development of the child, this amendment put aside for this time the major obstacle that had constrained the Superintendent's negotiating position. He was now free to confront the challenges of rebuilding lawmakers' confidence in educators' ability to deliver the necessary votes to carry the amended legislation.

This activist role placed many demands on the Superintendent and his department. On the one hand they had to turn the various factions of the splintered education profession into an allied lobbying force that could bring their influence to bear on the legislature, especially in the Senate. Marion Joseph and Harvey Hunt of the SDE legislative office helped mastermind this activity. On the other hand, the State Department had to participate in a series of delicate negotiations with the Department of Finance over the details of the ECE program. Most notably, administrative guidelines had to be established with regard to Section 1, 6445.14 of SB 1302 which stipulated that the Superintendent of Public Instruction shall reduce funding allowances to each school district by the amount per pupil apportioned under Article 5, Section 5789 (the existing Miller-Unruh Reading Act).⁶⁴ The intent of this section was to avoid duplicate funding.

Two Department administrators concluded an informal agreement with the Department of Finance in the late fall in which the SDE agreed to reduce the Miller-Unruh budget by the amount of the duplication with the new ECE programs. This was an unnecessary capitulation to the

administration. At this time, the Superintendent was dealing from a position of strength, and had he known of this informal agreement, he certainly would have resisted the Department of Finance's shrewd budgetary maneuvering. By cutting the duplicate Miller-Unruh funds, the administration was attempting to keep down the budget and to minimize its losses.* However, once again the overload in the system kept this information from Dr. Riles until after the session had been completed. Once SB 90 had been delivered from the Senate, the Reagan administration had no reason to bargain further.

ECE Legislation. On November 27, a few days before the crucial Senate vote on SB 90, the Governor expressed his good faith by signing SB 1302 into law as Chapter 1147. ECE, commented an Assembly consultant, was the important side-payment that assured the State Superintendent's support of the pending finance reform.⁶⁶ On December 1, SB 90 passed the Senate with the requisite two-thirds vote. Thus, the significance and success of Early Childhood Education as a policy issue is attributable to one man's leadership, the State Superintendent. It was conceived and championed by Dr. Riles, and through his efforts, ECE became a major educational program offering in California. The legislature had appropriated \$65 million for a two year pilot program beginning with the 1973-74 school year. The State Superintendent was authorized to begin restructuring

*During the final days of the session, the Governor found it necessary to agree to the Conference Report that had increased the aid to the disadvantaged from \$40 million to \$82 million. The support of the urban lobby, in particular two urban pro-education "swing" senators, was at stake.⁶⁵

the existing public school programs in kindergarten through third grade. The inclusion of voluntary school programs for four-year-olds, however, was postponed until the 1975 legislature could review and evaluate the implementation of the first phase—the two year pilot program—of the California Early Childhood program.

SUMMARY OF RATIONALES

California entered the 1970's with a broad and unique array of preschool services being provided under state sponsorship, including kindergartens, day care centers, compensatory education, migrant day care/preschool programs, and federal Head Start centers. Over 66,000 preschool children were being provided services at a cost of \$52 million, over and above \$245 million allocated for public kindergarten which served 356,370 children. Since California state law mandates kindergarten programs, the 1972 ECE legislative reform aimed at outlining an expanded, comprehensive educational program for children 4 years old through the third grade.

The preeminence and ultimate success of Early Childhood Education as a policy issue is directly attributable to the leadership of Wilson Riles, who was elected state superintendent in 1970 on a platform that included ECE reform. In the first days of his administration, the state superintendent announced that ECE would be his second priority (behind school finance reform) and the major program initiative of his administration. This policy position was a logical extension of his belief in the proposition that "as much as 50% of a child's intellectual potential is developed before he reaches the age of 8." He was confident that early intervention strategies would be successful if the state would focus sufficient energy and resources in this

critical area--"why remediate when we can prevent the problem at an earlier age."

Politically, Dr. Riles saw ECE as a vehicle for reestablishing the superintendent of public instruction's leadership and a unison among the splintered professional education interest after a decade of division and conflict, an opportunity to resolve the political vacuum that existed between the CSDE and the legislature, a springboard for restructuring the entire K through 12 educational system, and a demonstration of his administration's intention to deal with the needs of all children.

In March, 1971, the superintendent named a blue-ribbon task force to develop a comprehensive, integrated master plan for Early Childhood Education for consideration by the 1972 legislature. Their mandate was not to conduct "another research study," but rather, as one member stated, "to present a bold plan for early childhood (education)." The ECE task force was policy- and program-oriented. Three major areas, the nature and content of the ECE program, the 4-year-old education issue, and the definition of the parental role, consumed much of its energy. The major positions advocated by the 24-member task force were often a product of their experiences, intuitions and consensus rather than research evidence per se. The committee did acknowledge the critical importance of the first eight years of life, especially "in the long-range prevention of crime, poverty, drug addiction, malnutrition, neuroses, and violence."

The final report of the ECE task force, which was prepared in the fall, 1971, by a single CSDE individual who was not a task force member, did not fully reflect the dynamics of the group. The researcher was writing up a report for public distribution that the state superintendent could endorse, and she was essentially marshalling research evidence and recommendation in defense of a predetermined ECE policy. For instance, the

superintendent's staff overruled the task force's compulsory kindergarten suggestion and independently established 3.9 years, rather than 2 years, as the beginning age for the ECE program. Similarly, the decision to add a 25-page, detailed ECE research review to the final version presented a misplaced emphasis on research rationales, which unfortunately downplayed the intuitive dimensions of the task force recommendations, most notably that all children 4 to 8 years old be able to attend school. In addition, this format did not allow state policy makers to analyze the linkage between the rationales, research or otherwise, and the costly and controversial recommendations.

During the winter, prior to the opening of the 1972 legislative session, Dr. Riles appointed an SDE team to develop the implementation guidelines--to transform the task force recommendations into specific legislation. The resultant legislation proposed an administrative design that reflected "lessons-well-learned" from the state department's administration of federal and state programs during the 1960's and incorporated the best features, such as: recognition that the greatest potential for success rested within the community and school; assignment of responsibility at the school level; requirement of a locally developed school plan; a planned phase-in; and expansion based upon the achievement of specified objectives. The price tag was \$353 million, phased in over 5 years, with a random 15% being served in 1972-73.

While the task force report captured the imagination of the general public, there was a dissenting voice. A research study, produced by the Hewitt Research Center, challenged its recommendations, questioned its foundation, especially its analysis of the interrelationships of the facets of available research, e.g., maternal deprivation, neurophysiological maturity, studies of students who entered school at an older age, and insisted that additional research on ECE alternatives was needed. The Hewitt report concluded that there were

"better and less expensive" alternatives (than the California plan's emphasis on formal schooling for 4-year-olds)" to provide for ECE programs of early childhood education.

The CSDE's response was to mobilize its research capacities, and to totally discount the Hewitt research as a well-orchestrated attempt at partisan analysis, because there had been a general absence of any questioning within the educational community over the appropriateness of ECE for 4-year-olds. What we have in the California case study is two camps committed to opposing ECE policy alternatives, i.e., Hewitt's family-based intervention on the one hand, and CSDE's school-based educational reform on the other.

Independent of the relative merits or demerits of the Hewitt position, their challenge did precipitate a necessary interaction between ECE researchers and state policy makers concerning the appropriateness of various ECE policy initiatives. But because a multitude of ECE policy outcomes could be justified given the incomplete nature of the present research base, value judgments did influence the particular policy preferences of the participants in the California political drama. We found that the apparatus of research was assembled to defend predetermined ECE policy positions.

Dr. Riles' successful legislative strategy included a strong element of consensus building. In April, 1972, the SBE approved opening classrooms to 4-year-olds and in May Riles forged the Education Congress from 13 fragmented education interest groups. He developed his battle plan for the 1972 session within the larger sphere of a favorable climate for tax and school finance reform which were essential to the success of his ECE proposal.

The State Department of Education staff introduced three companion bills which carried the ECE proposal--one for program structure and funding provisions; one for transportation; and the third for child care services. The ECE legislation reflected the department's prior program experience, especially Title I, and it incorporated a number of complicated concepts in one package: (a) universal eligibility criteria, (b) local control, (c) parent-community participation, (d) pilot funding and a phase-in time line, and (e) accountability.

On May 10, Riles appeared personally before the Assembly Education Committee, creating a reservoir of legislative goodwill. He urged the legislature and people of the state to "make a long-range commitment of funds to the proposition that the first 8 years of life are the most important period in determining the future effectiveness of our citizens." However, on May 30, the day Riles chose to announce his program formally, minor opposition (primarily philosophical) to the 4-year-old proposal began to well up. One conservative columnist characterized Riles' proposal as "socialistic." Interestingly, the opposition did accept the importance of these early years, but they argued for a different policy response. They opposed further state encroachment on parental authority and on parental involvement with children. The attempt to start youngsters in school at a much younger age was interpreted as an attempt to create more teacher jobs, given the overabundance of teachers in the labor market. Finally, the Department of Finance (the Reagan administration) opposed the ECE bill, SB 1302, because of its implementation and delivery system and a provision for long-term commitment of state funds without adequate statistical data.

On June 30, Riles personally appeared to push the bill through the Senate Finance Committee over the chairman's objections--a strong plea for fiscal restraint. The bill passed the upper house, but soon ran head-on into vociferous opposition in the assembly. Assemblyman Burke, who philosophically opposed ECE, disseminated a reprint of an article, authored by Dr. Raymond Moore of the Hewitt Research Center, that was highly critical of the California ECE plan. This action served to mobilize a heretofore latent constituency, who disapproved of the bill for a number of reasons. Objections, often heated and emotional, centered on the fiscal and social implications of the 4-year-old program. In the Assembly Education Committee the bill was amended

drastically to include five major revisions aimed at allowing schools the leadtime necessary to improve and restructure their basic kindergarten through third grade program before diverting resources to the four-year-old component.

The ultimate success of SB 1302 was a direct outcome of Dr. Riles' bargaining with the Reagan administration over the compromise school finance package, SB 90 (1972). Ironically, it was the demise of the four-year-old issue in the assembly that removed the major impediment which hindered the superintendent's negotiation with the administration. Although Riles and his supporters tried to make the comprehensive ECE program include voluntary school programs for four-year-olds, that policy decision was postponed by the legislature until the 1975 legislative session. Under the \$65-million pilot project the state superintendent was authorized to begin restructuring the existing public school programs in kindergarten through third grade, and to present a report early in 1975 that documented the educational benefits of classes for four-year-olds. New substantive legislation is required before the four-year-old component can be included in the ECE Plan for 1975-76.

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Dr. Dorothy Blackmore, Staff Consultant to Task Force on Early Childhood Education, State Department of Education.**

Assemblyman Robert Burke, Republican.

Dr. Ronald Cox, Consultant, California Senate.

Dr. Glenn Davis, Program Manager, Early Childhood Education, State Department of Education.

Mr. Lois Detro, Legislative Assistant, Office of Senator Dymally.

Dr. Edith Dowley, Member, Task Force on Early Childhood Education, and Professor, Stanford University.

Dr. John Ford, Vice President, State Board of Education.

Mr. Jerry Hayward, Consultant, Senate Education Committee.

Dr. Robert Hess, Professor, Stanford University.

Mr. Harvey Hunt, Legislative Coordinator, State Department of Education.

Mrs. Marion Joseph, Legislative Coordinator, State Department of Education.

Dr. Michael Kirst, Professor, Stanford University.

Mr. Richard Milner, Legislative Assistant, Office of Assemblyman Ken Cory.

Mr. John Möckler, Consultant, Assembly Ways and Means Committee.

Mr. Dan Moore, Member, Task Force on Early Childhood Education.

Dr. Raymond Moore, President, Hewitt Research Center.

Mr. John Murdock, Consultant, Assembly Education Committee.

Mrs. Jeanada Nolan, Coordinator of Task Force on Early Childhood Education, State Department of Education.

* Single asterisk (*) indicates only correspondence with the individual.

** Double asterisk (**) indicates only telephone interview with the individual.

No asterisk indicates that a personal interview was conducted with the individual, as well as correspondence and telephone contacts.

Mrs. Elaine Rosendahl, Member, Task Force on Early Childhood Education, and Representative, California School Boards Association.

Dr. Alex Sherriff, formerly Education Advisor, Office of Governor.**

Mrs. Edith Schwartz, Member, Task Force on Early Childhood Education, and Reading Specialist, Sacramento Unified School District.

Chapter 6:

A Study of Early Childhood Policy
Making in New Mexico

by

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LIST OF ABBREVIATIONS

AAUW	American Association of University Women
ECS	Education Commission of the States
HAFC	House Appropriations and Finance Committee
HB	House Bill
HEC	House Education Committee
HJM	House Joint Memorial
HTRC	House Taxation and Revenue Committee
KIDS	Kindergartens-in-Demand-Statewide
LSSC	Legislative School Study Committee
NEA-NM	National Educational Association--New Mexico
NKA	National Kindergarten Association
NMCCY	New Mexico Committee on Children and Youth
OEO	Office of Economic Opportunity
PTA	Parent-Teacher Association
SEC	Senate Education Committee
SFC	Senate Finance Committee

OVERVIEW

I. General Environment

New Mexico is a relatively new state having been admitted to the Union as the 47th state in 1912. However, the state has a rich and interesting history dating back to 1536.

New Mexico's population was almost entirely Indian and Hispanic until the 1880's, when Anglo-Saxon ranchers and merchants began to locate in the state. Around the turn of the century the native ethnic base was further diluted by the arrival of large numbers of Texans in eastern New Mexico. The early decades of this century also brought many migrants attracted by the dry, clean air as a way to solve tubercular and other health problems. The events of World War II resulted in an influx of a whole civilization of scientists and technicians. At Los Alamos they are the town; at Albuquerque they have populated the fast-growing Northeast Heights section, adding a substantial new kind of population which has been said to be transforming the state's politics.¹

As of 1972 New Mexico's population was approximately 1,065,000, placing it 37th among the 50 states.² The largest city in the state is Albuquerque with a population of 357,000.³ The next largest is the capital, Santa Fe, whose population totals only 41,000.⁴ The State Department of Finance and Administration reported that 285,000 elementary and secondary students attended schools in New Mexico's 88 public school districts in 1972-73.⁵ An additional 13,000 children attended nonpublic schools in that year. Funds expended for the public schools in 1972-73 totaled \$279,000,000, with

the Federal Government contributing 16%, the State providing 58% and local governments 26%.⁶ The federal and state share of the total both rank in the top quintile among the 50 states thus making the local share one of the lowest among the other states.⁷

II. Political Decision Making Environment

Legislative. In the 1970 ranking of all the legislatures in the country by the Citizens Conference on State Legislatures, the New Mexico Legislature was ranked 11th.⁸ Contributing to its generally favorable rating were such assets as its relatively small size (the Senate has 42 members, the House has 70), few committees (Senate has 8, House 13) and its spacious capitol building. Cited as drawbacks were its sharply limited sessions (60 calendar days in odd-numbered years and 30 calendar days in even-numbered years), its constitutionally limited low level pay (\$36 per day of session time) and a shortage of staff support services.

However, since the time of the Citizens Conference ranking, the New Mexico Legislature has been making increased use of joint interim committees to analyze legislative needs and issues on a year-round basis. The legislature has ten such committees today. One of these is the Legislative School Study Committee (LSSC) which gained permanent status in 1971. It is composed of nine members (four from the Senate and five from the House) and is charged with the following tasks:

1. Conducting a continuing study of the public schools in New Mexico, the laws governing such schools, and the policies and costs of the public school system.
2. Recommending changes in school laws if any are deemed desirable and drafting and presenting to the Legislature any legislation necessary.

3. Making a full report of its findings and recommendations for consideration of each odd-year session on or before the tenth day of the session.⁹

The LSSC can also be charged with conducting a particular study at the request of the legislature. In 1973, the committee's permanent staff included a director, staff assistant and secretary.¹⁰ The Education and Finance Committees of both Houses must be represented with the nine-member LSSC.

Executive. In the latest ranking of formal powers of the Office of Governor, the chief executive post in New Mexico scored in the lowest quartile.¹¹ However, the state's unusual educational governance structure allows the Executive Branch to play a major role in influencing legislative outcomes. Located within the Executive Branch is the Public School Finance Division of the Department of Finance and Administration. This office is unique among the fifty states. It was first established in 1923, the same year the state undertook its first codification of school regulations. The 1923 School Code placed responsibility for educational programs with the State Board of Education while it placed responsibility for educational finance and revenue with the Educational Budget Auditor. According to the 1923 School Code, the Educational Budget Auditor was to be appointed by and hold office at the pleasure of the Governor and was charged with the following duty: To prescribe the forms for, and supervise and control the preparation of all budgets and estimates of all public schools.¹² In practice, the Educational Budget Auditor (now titled Chief, Public School Finance Division) began approving the budget of every school district in the state by holding a budget hearing in each district. Today, the Chief still holds budget hearings in each of New Mexico's 88 school

districts. In addition, the Chief has had the sole or joint responsibility to make distributions from the supplemental and discretionary accounts.

The supplemental account, which came into use in 1969, consists of disbursement accounts for equalization, out-of-state tuition, isolated and essential schools and special program needs or program enrichment. Table I shows the growth in dollar and percentage terms for these accounts for the period 1969-70 through 1972-73.

Table I

School Year	Supplemental Account Total	Supplemental Accounts as a % of State Funds for Public Schools
1969-70	\$ 1.3 million	1.0%
1970-71	4.4 million	3.0%
1971-72	7.2 million	5.0%
1972-73	11.7 million	7.5%

Source: New Mexico Department of Finance and Administration, Statistics: Public School Finance, Santa Fe: Author, 1969-70; 1970-71; 1971-72 and 1972-73.

Prior to 1969, the legislature had provided the Chief with a discretionary account which he could use to meet local district needs. This account totaled \$150,000 in 1967-68 and \$304,000 in 1968-69.¹³ Although the Chief does not have sole discretion over the supplemental allocations--in that he needs the approval of the State Superintendent for the equalization and program enrichment accounts--some observers in New Mexico feel that as the amount of funds in the form of discretionary and supplemental funds increased over the years so has the influence and power of the office of the Chief.¹⁴ This, coupled with the facts that the position has been traditionally occu-

pied by highly competent individuals who gained the respect of the legislature and that the post has enabled the Chief to become known at the local level through the budget hearing, has resulted in a highly influential role for the Chief in school finance and educational program development in New Mexico.

State Board and State Department. The State Board of Education consists of 10 elected members. Although it is charged with governing the public school system, its overseeing capability is limited by the absence of staff, clerical help and facilities. Some New Mexican policy makers feel that the State Board has taken even more of a back seat in policy formation given the activity generated by the Legislative School Study Committee (LSSC). Nevertheless, the State Board can influence policy outcomes by making decisions on guidelines for enacted legislation.

Given the fact that the 1923 School Code placed financial accountability for public schools in the Executive branch, the primary responsibilities left to the State Department of Education were those of personnel certification and program approval. As a result of this separation of financial from program responsibilities the New Mexico State Department of Education has traditionally not played a major role in educational policy initiation in New Mexico.¹⁵ In fact, the general mood within the State Department is that the two roles (program and finance) should not be separated but rather should be combined within the State Department of Education.

Interest Groups. The major education interest groups in the state are the National Education Association-New Mexico (NEA-NM), the New Mexico School Administrators, the New Mexico School Boards Association, the American

Association of University Women, the New Mexico Congress of Parents and Teachers and the New Mexico Association for Retarded Children. The New Mexico Taxpayers Association had played a significant role in New Mexico school policy, especially with regard to spending and taxation. This association, however, ceased activities in 1973 due to a lack of funds.

The New Mexico Committee on Children and Youth is also active in educational interests. This committee is a state agency created by the legislature in 1967. Its purpose is to:

1. Act as a state clearinghouse for all statistical and program information on children and youth.
2. Collect facts and statistics on, make special studies of and conduct open hearings about the major needs of children.
3. Make periodic reports and recommendations for legislation to the Governor and legislature prior to each legislative session.
4. Provide information and guidance to local groups concerned with the problems of children.¹⁶

During the calendar year 1973 this agency spent approximately \$38,000 in State-appropriated funds and \$18,000 in Federal funds (Law Enforcement Assistant Act). The committee is headquartered in Albuquerque.

Summary. The uniqueness of the policy-making environment in New Mexico is primarily a function of the Office of Public School Finance. There exists a feeling in the State Department of Education that the major role in educational decision making lies with the Chief rather than within the Department. The Legislative School Study Committee can also be viewed as entering the traditional domain of the State Department of Education and of the State Board of Education. As a result of this structural arrangement there exists considerable conflict between the State Department of Education on the one hand and the Chief and legislature on the other.

However, this does not mean that the Chief and the legislature always agree on all matters. But it is clear that the legislature has traditionally been more willing to let the Chief make decisions, for example, on the spending of supplemental funds, than it has to let the State Department. Another interesting facet of the New Mexico environment is the role played by the New Mexico Committee on Children and Youth. Since this State agency is charged with providing information and guidance to local civic groups, it has the potential to act as an organizer for various interest groups in their efforts to pass legislation.

EVOLUTION OF LEGISLATION

I. Background to Reform

In 1973, the New Mexico Legislature passed House Bill (HB) 360. This bill requires each school district in the State to establish an "Early Childhood Education" program by September, 1977. However, state policy makers had been confronted with the issue of kindergarten and preschool programs several times prior to the 1973 session. The following pages present the legislative events preceding the passage of HB 360.

House Bill 230, the 1967 Proposal. In January, 1967, the newly elected Governor, David Cargo, stated that one of his major program requests would be for the implementation of state-supported kindergartens. However, no specific money proposal was made for kindergartens within the Governor's budget. Although there were memoranda from the Department of Education circulating in the state on the provisions of a bill to be introduced, no executive bill emerged. The bill that was introduced was sponsored

by Democratic leadership within the House. The New Mexico Parent-Teacher Association and the New Mexico Division of the American Association of University Women actively supported this measure, but the bill failed to gain support in the Education Committee and died without a vote in that committee. The legislature did pass a change to the school code that allowed local school boards to establish and conduct kindergarten classes. This action, however, was part of an overall school code change and appears to be unrelated to the proposals and bill introduced for state-supported kindergartens. A more detailed description of the events follows.

During December, 1966 the State Department of Education prepared a memorandum on the subject of kindergarten education. This memorandum contained a great deal of information including: (i) Research evidence supporting the need for preschool experience for children; (ii) Information on the present funding sources and estimated numbers of children in preschool programs in 1967; (iii) Estimated cost for kindergarten programs for all five-year-olds in the state; and, (iv) A phase-in strategy for the implementation of kindergarten programs.

The research cited in this memo was that of Benjamin Bloom and the National Kindergarten Association. Specifically, the memo stated that recent studies have found that:

- 50% of an individual's learning patterns have been developed by age four; an additional 30% by age eight.
- Children attending kindergarten evidenced a decided superiority, percentage-wise, in regular promotion in school over children who had not attended kindergartens.
- Verbal abilities, quantitative reasoning, and phonetic ability of kindergarten children were superior to a nonkindergarten group.

—70% of the kindergarten-trained children made satisfactory reading progress as contrasted with 56% of those without kindergarten.¹⁷

The Department noted further that the idea that Early Childhood Education is essential for education of children is well accepted throughout the United States. The Department estimated that it would cost \$5 million a year to institute half-day kindergarten programs on a five-day-a-week basis for the state's 25,000 five-year-olds. A five year phase-in period to reach the goal of placement of all children of kindergarten age was recommended. The memo suggested a first year appropriation request of \$2 million. No further implementation recommendations were stated in the memo.

Governor Cargo, meanwhile, proposed the implementation of kindergartens on the one hand but also demanded that the state stay within a given budget ceiling. The Democratically controlled House and Senate reaction to these two demands was for "direction" from the Republican Governor on what he wanted and "explanations" on where the money was to come from. Possibly in response to this legislative pressure, the Division of Public School Finance prepared a fact sheet on kindergartens.¹⁸ The Division reported that 7% (\$585,000/\$8.2 million) of the state's Federal Title I allocation was being used to support kindergarten programs in 25 school districts in the state serving about 2,200 children. In addition, over \$2.2 million in Federal Economic Opportunity (OEO) grants and over \$300,000 in Johnson-O'Malley (Indian Education) funds were being used in the State to finance preschool programs for children. About 8,500 children were being provided with the programs with the OEO and Johnson-O'Malley

monies. Local districts were spending almost \$300,000 to match the OEO grants.

This fact sheet emphasized that local districts can request Title I funds for the purpose of providing kindergarten programs. It noted that 76% (349 out of 457) of the public elementary schools in the state were eligible to receive Title I funds. The fact sheet further stated that the State Department of Education was planning to evaluate the effectiveness of the Title I programs in the fall of 1967 and that the results of this study could be used to further plan for kindergarten programs. The Division's recommendation was to utilize the existing federally financed kindergarten programs as pilot programs on which to base evaluations for future decisions rather than to commit new state dollars to as yet untested programs.

Governor Cargo embraced the logic presented by the Division of Public School Finance. In early February he stated that a kindergarten bill was not necessary.¹⁹ Federal funds, under Title I, could be used in three-fourths of the school districts in New Mexico to provide kindergartens for economically and educationally deprived children. He encouraged local districts to weigh carefully the use of their federal funds between compensatory programs for children in their later school years on the one hand, and for investment in programs that would help the child in his early years on the other. Although he noted that Title I funds will not reach every child in New Mexico, he felt that the pilot programs would reach those children who needed it most.

Reaction to the Governor's position was negative from the Department of Education and from middle-class parents in districts whose schools did not qualify for Title I funds. Most prominent among the latter was the Northeast Heights section of Albuquerque. The State Department of Education let it be known that the Federal Government intended to cut Title I funding and that the whole act under which Title I was funded was due to expire in 1968.²⁰ The reaction in the legislature was swift. The Democratic leadership in the House, led by Speaker Bruce King, introduced a kindergarten bill. That bill, HB 230, called for state money to support kindergarten programs. However, there was no mention in the bill of how much money would be needed. The State Parent-Teacher Association (PTA) and the New Mexico Division of the American Association of University Women (AAUW) supported this bill through letters to local newspapers.²¹ The AAUW stated that New Mexico needed a kindergarten program to meet the needs of its Spanish- and Indian-speaking children. The stress from both the AAUW and the PTA was on the need for kindergarten to prepare youngsters for the demands of first grade. HB 230, however, did not gain much support in the legislature. The bill was referred to the Education Committee on the 29th day of the session and no action was taken on it until the 60th and last day of the session. That action was to kill the bill permanently. Some political observers in the state felt that the primary reason that HB 230 was introduced was to embarrass the Governor. In any event, the legislature did not debate the merits of HB 230. In what appears to be an unrelated action, the legislature did pass a change to the school code that allowed local districts to establish and conduct kindergarten classes. This action was part of an overall effort to revise the school code that arose out of the efforts of the School Study Committee.

The Period 1968-70. There was no activity on kindergarten or preschool legislation during the 1968 and 1969 legislative sessions. However, during the 1969-70 school year the Chief of the Public School Finance Division started using State funds from the supplemental appropriation account (program need) to aid school districts in providing kindergartens. In that year the Chief allocated \$45,000 to seven districts for kindergarten programs. These three- to four-and-a-half-month programs served about 225 children. In his report to the legislature on the use of the supplemental money, the Chief had this to say regarding the kindergarten programs:

After extensive examination of some district proposals, it was determined that simply "piling" more money into the existing program was not going to bring about the desired results in student achievement. Many children enter first grade so far behind their peer group that they are already potential dropouts. Preventive measures, rather than continued remediation, was sought in the form of preschool programs.²²

The state funds allocated to each district did not cover the total cost of the programs. In one case a local church was used to house the class, in another OEO funds were used for transportation needs. Three of the districts who used state funds in 1969-70 for kindergartens decided to seek Title I funds for program continuation in the following year.

House Bill 62 (1970). Legislative activity on kindergarten picked up in the 1970 session with the introduction of House Bill 62. This bill sought \$2 million in state funds for kindergarten classes. However, the bill stipulated that such classes were for children whose learning potential required preschool development to enhance successful educational experience. The bill also would have required that kindergarten classes

emphasize oral development, reading readiness, lengthening of attention span and development of the self-image of pupils as priorities of curriculum and instruction. In addition, HB 62 stated that no state funds could be used for kindergarten classes which were in operation during 1969-70 school year, and that no state funds could be distributed by the Chief for kindergarten classes unless:

. . . the Chief and the Department of Education agree that all available funds for such classes from non-State sources have been sought and utilized by the school district to the fullest extent possible.

The \$2 million appropriation was to be distributed by the Chief. House Bill 62 was referred to both the House Education Committee (HEC) and the House Appropriations and Finance Committee (HAFC). The bill was given a "do pass" recommendation from the HEC, but received a "do not pass" recommendation from the HAFC. One attempt was made to reconsider the bill in the HAFC but it did not receive sufficient votes. Lack of funds was cited as the major impediment to the bill.

Two days after the reconsideration attempt failed and three days before the end of the legislative session, a member of the Appropriations and Finance Committee introduced a Joint Memorial* (HJM 1C) directing the Legislative School Study Committee (LSSC) to devise a plan for financing kindergarten.

The Memorial used the following line of reasoning to argue for the undertaking of the study:

*Besides House and Senate bills the legislature can act on Memorials and Joint Memorials. Such actions can direct the undertaking of a study or simply recognize an achievement or event. Joint Memorials are voted by both the House and Senate.

- Kindergartens are of great value in providing essential skills and knowledge to preschool children.
- These skills and knowledge enable children from economically depressed areas and children who are linguistically handicapped in English to meet the requirements of public schools with confidence and on a more equal basis.
- Children learn more in their early formative years than they do in later years.
- A kindergarten program cannot be successful or achieve intended goals if it is not adequately financed.

The Memorial passed both the House and Senate with little opposition.

The LSSC was thus directed to make its report on this issue to the next session (1971) of the legislature. During the remainder of 1970, the LSSC held several public hearings on kindergarten.

While the LSSC was studying the matter of financing kindergartens, the Chief of the Public Finance Division was in the process of allocating \$90,000 from the supplemental account (special program need) for preschool programs for the school year 1970-71.²³ This figure is double that allocated in the 1969-70 school year. As in the previous year, combinations of funding sources were utilized to support the programs. One district used funds from two federal sources (Johnson-O'Malley and Title I) in combination with State aid to mount a program for 120 children.

The LSSC Report and the Events of 1971. In January, 1971 the Legislative School Study Committee issued a report to the legislature in response to House Joint Memorial 10 (1970). After holding several public hearings and receiving advice and recommendations from interested persons, the LSSC concluded that:

. . . all children should be eligible for preschool programs, not just distinct ethnic group children, not just the economically deprived or those whose parents can afford to pay for the opportunity.²⁴

The LSSC chose to use the term "preschool" rather than kindergarten because the former term was felt to indicate a program based on up-to-date research in child growth, learning and development. The committee also noted that federal acts of 1964 and 1965 had also replaced the term "kindergarten" with the term "preschool."

Although the committee stated that the need for such preschool programs is evident and has been substantiated, the only evidence cited in the report was the first grade retention rate. The committee noted the 1969-70 statewide average rate of retention was 14.6%. The LSSC felt that this average was too high and that it was indicative of the fact that too many pupils enter first grade before they are ready to learn in a competitive and unfamiliar situation.

The workable plan for financing kindergartens was to require the Department of Education to approve the school, its plans and programs, and for the Chief to distribute funds only after such approvals were received in writing. The procedure was recommended by the committee for special education funding in 1969 and for vocational education funding in 1970. Given the nature of the educational structure in New Mexico this type of system gives the Chief a great deal of latitude in regard to which districts end up with approved programs. The Department of Education also had to approve the kindergarten programs funded with State supplemental funds in 1969-70 and 1970-71. However, the Chief could use the budget hearing meeting to encourage a particular district to apply for approval. In this manner the Chief could pick among various district proposals and fund those he felt most in need.

Legislation in 1971. Based on the recommendations of the LSSC, House Bill 34 was introduced on the second day of the 1971 legislative session. The bill followed all the recommendations of the LSSC and sought an appropriation of \$1,000,000 for 1971-72. In addition, HB 34 called for the State Board of Education and the Chief to adopt and promulgate regulations providing minimum standards governing a school's eligibility for preschool classes. Individual program applications needed the approval of the State Superintendent and the Chief. It would seem safe to assume that the schools chosen would be those that had similar demonstrated need to those funded in 1969-70 and 1970-71.

HB 34 was referred to the Education Committee and to the Appropriations and Finance Committee. After two weeks it received a "do pass" recommendation from the Education Committee but was given a "do not pass" from the HAFC thirty days later. The obstacle cited was lack of resources. Possibly because the funding problem became apparent during the time HB 34 was in the HAFC, another kindergarten/preschool bill, HB 223, was introduced before the final vote was taken on HB 34.

House Bill 223 called for the establishment of a pre-elementary school kindergarten program on a statewide basis no later than the fall of 1972. This bill proposed to finance the programs by levying an excise tax of two cents (\$.02) a gallon on the sale and use of motor fuel. One memo mentions that \$10 million could be raised from this levy. This bill adopted the term kindergarten rather than preschool.

HB 223 was first referred to the Education Committee and, because it required a new tax levy, to the Taxation and Revenue Committee (HTRC)

rather than to the Appropriations and Finance Committee. The Education Committee amended the bill by striking out the word kindergarten and replacing it with the word preschool. This committee then gave the bill a "do pass" recommendation. Three weeks later and five days after HB 34 had been voted down, the HTRC gave HB 223 a "do not pass" recommendation. Legislators felt that the tax financing was the major opposition along with the uncertainty of how much the programs would cost the state and how much the tax would raise.

Legislative activity on preschool, however, was not dead for the session. House Bill 300, the general appropriations bill, specified that \$200,000 from the supplemental funds (program enrichment) should be used to initiate additional preschool programs. In essence, the result of the line item inclusion in HB 300 can be viewed as a partial passage of HB 34, the LSSC-sponsored bill. HB 34 would have appropriated \$1 million for preschools on an approved program basis. HB 300 allocated \$200,000 for preschools also on an approved program basis. Beside the funding level difference, the only other change was that the Chief, under HB 300, did not have to confer with the State Board on the eligibility of schools for financing.

In the 1971-72 school year the Chief allocated \$341,000 from the supplemental account (the \$200,000 appropriated plus \$141,000 from other funds allocated to this account) to provide preschool programs for 4,506 children in 29 school districts.²⁵ State monies were often combined with federal funds to provide full program funding. Another 38 districts offered preschool programs to 2,656 children through Title I, Johnson-O'Malley, Title III, operational or various combinations of funds.

Table II provides a breakdown on the total expenditures from all sources for preschool programs for 1971-72.

<u>Table II</u>	
<u>Preschool Expenditures 1971-72</u>	
Program Enrichment	\$ 341,933
Operational Revenue	163,552
Federal Categorical	
A. Title I (including Migrant)	2,423,811
B. Johnson-O'Malley	651,643
C. Follow Through	94,500
D. Title III	9,500
E. Title VII	15,350
TOTAL	<u>\$3,700,289</u>
(Total number of children in programs. 7,262)	
(Total number of districts 67)	

Source: New Mexico Department of Finance and Administration,
Public School Finance Division.

Eighteen of the twenty-nine districts that were provided funds from the supplemental account (program enrichment) used the funds in combination with Title I funds. The allocations, according to the Chief's report to the legislature, were made to children whose needs could not be met by a uniform presentation. In some instances bilingual aides were provided while in others a breakfast was provided. Overall, some determination of need was being made by the Chief, with the approval of the State Superintendent, to choose the districts to be funded.

II. Initiation of Reform

Events of 1972. No legislation was introduced during the 1972 session on the preschool issue. However, the Chief allocated \$440,000 for preschool programs for the 1972-73 school year from the program enrichment account. These funds provided programs in 34 school districts. From information contained in the Chief's report to the legislature the programs were serving:

- educationally disadvantaged children.
- educationally deprived children.
- children from lower economic level homes or areas.
- children of migrant workers.
- children who speak little or no English.
- children living in very isolated areas.²⁶

The Legislative School Study Committee held a public hearing on the issue of preschool education during July, 1972. This hearing was arranged by a LSSC member who was a representative from the Northeast Heights section of Albuquerque and whose wife was also very interested in establishing a statewide preschool program. At the hearing two professors from the University of New Mexico made presentations on the educational purpose and value of preschool programs and on preschool results and accomplishments. A member of the State Department of Education also made a presentation on preschool programs in the State. In addition, several groups (Junior League of Albuquerque, State PTA, New Mexico Association for Education of Young Children, AAUW and the New Mexico Association for Retarded Children) expressed their opinions on the kindergarten issue.

Dr. Catherine Loughlin of the University of New Mexico stated that preschool programs are not compensatory education but rather programs for groups of children at certain stages in their lives. She further stated that educational programs for children under six are designed to promote learning which assists in the following: (i) intellectual development; (ii) social and group skills development; and (iii) range of attitudes development.²⁷

Dr. David Darling, also of the University of New Mexico, presented the findings of two studies--Moore and Moore and Benjamin Bloom--to the Legislative School Study Committee.

Dr. Darling stated that the data from the Moore and Moore study indicate that the late-starting child, operating in schools, obviously starts behind, but achieves more rapidly and in some instances overtakes the child that starts earlier. Dr. Darling explained that this study also indicated that children who are introduced to early school experience, in the formal sense, tend to burn out earlier. These children also develop a negative attitude toward school and achieve less than their potential which affects their I.Q. scores.

Dr. Darling then stated that the Bloom study indicated that most change in human characteristics takes place during the period of rapid growth of those characteristics and most of the rapid growth occurs prior to age eight.

Dr. Darling made three generalizations with reference to results of Early Childhood research:

1. There is evidence that early schooling experiences that are not consistent with the growth patterns of children can and do produce negative results in achievement, attitude and I.Q.

2. There is no evidence that early education experiences when consistent with the growth patterns of the children produce any negative results in achievement, attitude or I.Q.
3. There is evidence that general human characteristics are most susceptible to change by human intervention prior to age eight.²⁸

He concluded his presentation with a strong advocacy of Early Childhood Education, if that education does not fall into the patterns of formal grade schools and if the methods and goals of preschool teachers closely account for the unique growth patterns of four- and five-year-olds.

Mrs. Blanche Collie of the New Mexico State Department of Education presented the following statement on the philosophy of the State Department of Education on preschool programs:

The New Mexico State Department of Education believes that it is responsible for providing the children of New Mexico the best possible opportunity for the kind of free education which will enable each child to develop to the fullest extent of his capacity.

The Department further subscribes to the belief that knowledge gained through discovery occurs in an environment which stimulates the interests and meets the needs of each individual child.

The Department supports the philosophy that a 'whole-child' oriented program based on research in child growth and development and a teacher trained in early childhood education are essential components for a successful preschool program.

Since human development is essentially a sequential process, early learnings are difficult to alter or replace. Children who have not had a suitable environment and stimulating experiences often enter first grade so far behind their peer group that they are already potential dropouts.

Preschool programs are designed to help these children enter first grade with a better chance for achievement in school and achievement in life.²⁹ (Emphasis supplied.)

The Junior League, PTA, New Mexico Association for Education of Young Children, the AAUW and the New Mexico Association for Retarded Children all made statements in support of a statewide kindergarten program. The state PTA representative stated that preschool programs should be available to all children--not just for the very rich or very poor.³⁰

Several other positions were developing in 1972 to push for legislative action on kindergarten/preschool programs in the 1973 legislative session.

The New Mexico Committee on Children and Youth (NMCCY) adopted as one of its priorities in 1972 the development of kindergarten programs throughout the State.³¹ The sponsor of the 1970 kindergarten bill, HB 62, had been elected Lt. Governor in November, 1970. He was subsequently appointed chairman of the NMCCY and focused the attention of that organization on the kindergarten issue. The NMCCY sought other groups that wanted kindergarten legislation in 1973. One of these groups was the Junior League of Albuquerque.

The League had adopted a policy of active support for kindergarten legislation in April, 1972. A Task Force on state-supported kindergartens had been established by July, 1972 within the Junior League of Albuquerque's headquarters. The Task Force wrote in August, 1972 that:

The value of Early Childhood Education has been soundly proven through research. The early years are critical in the life of the individual and determine much of his hope for school success. Failures in later school years can be reduced with carefully designed preschool programs. New Mexico is one of eight states that does not offer a total kindergarten program.

This memo went on to note that:

. . . The greater part of a child's personality including the ability to develop his potential resources is formed by the time he enters first grade.

. . . \$3 million was spent statewide last year on the retention of students. This is one-half of the estimated amount to establish a basic New Mexico kindergarten program.

. . . Kindergartens would make available early screening of learning disabilities--physical, emotional and behavioral--and begin treatment early.

. . . Bilingual and special education could be part of the kindergarten program.³²

The Task Force noted that early education has long been available to the well-to-do, and it is commendable that governments are acting on the need to make it available to some of the poor, but the large middle groups should have the same opportunities.

By November, 1972 the NMCCY had organized the League, the American Association of University Women (Albuquerque Branch), Albuquerque Classroom Teachers Association, the Association for Education of Young Children, the Congress of Parents and Teachers, the Bernalillo County (Albuquerque School District) PTA, and NEA-NM, as well as a few others into an umbrella-type of organization with the purpose of supporting equal opportunity for all five-year-olds for public education through state-supported kindergartens. This organization, Kindergartens-in-Demand-Statewide (KIDS), numbered among its members the wife of the representative on the LSSC who had arranged the LSSC kindergarten hearing in July, 1972. The executive secretary of the NMCCY became the chairman of the steering committee for KIDS. The work plan developed by KIDS included:

1. Contacting individuals and organizations, informing them of KIDS' efforts, and requesting their support.
2. Releasing pertinent information to the news media.
3. Contacting legislators (and potential legislators), attempting to solicit a public statement from them supporting a statewide kindergarten program.
4. Holding public meetings and thus encouraging public involvement. ³³

Among the arguments that KIDS used to support the inclusion of kindergarten in the public school system were the following:

1. There seems to be a high correlation between positive self-concept and school achievement. The kindergarten experience, usually a child's first encounter with a formal educational program, can do much to build a five-year-old's self-confidence level as he works with his own peer group under the supervision of supportive adults.
2. Parent involvement is considered an important element in contemporary educational programs as a way of making the school experience more successful. This, coupled with indications that the very early years, infancy through five, are vital in the intellectual-affective development of children, again argues for the kindergarten situation since kindergarten staff are encouraged to work with children and their parents. As a result, the child in the five-year-old program is being reached and also any younger children at home.
3. It is felt that the retention rate might drop. From both a human and monetary standpoint this is important. In the school year 1971-72, 3,500 children were retained in the first three grades. With an average expenditure of \$678 per pupil, this number of students being retained cost a total of \$2,271,300.
4. Kindergartens make available the possibility of early screening of particular learning needs whether they be physical, emotional or behavioral. This early screening within the kindergarten situation is particularly important for several reasons.
 - (1) Many problems can be more easily remedied if recognized and treated at an earlier age.
 - (2) The kindergarten setting is such that it is particularly good for observing children and their development.

- (3) The present procedure of placing children directly in first grade situations which call for certain responses tends to place a greater burden on the child who already has some problems which affect his ability to learn. The kindergarten situation is not so demanding in this respect, allowing the child and the school time to make an appropriate placement.³⁴

The KIDS organization also pointed out that the state had for the last three years experienced budget surpluses. Lt. Governor Mondragon, the chairman of the NMCCY, told a meeting of the KIDS group in November that with a \$41 million surplus in State funds, 1973 was the year for a breakthrough in establishing state-supported kindergartens.³⁵

The KIDS organization membership grew during the period September, 1972 to January, 1973 with additional endorsements from other civic organizations, kindergarten associations, chambers of commerce and other education associations. The bulk of these endorsements was from middle-class families who wished to have public kindergartens for their children. Many of these families were relatively new residents of New Mexico who had moved from states that had well-established kindergarten programs.

Meanwhile, on other fronts the Governor, the State Board and the State Department of Education were developing their own preschool plans for 1973. The Governor requested \$171.7 million for public elementary and secondary school programs for 1973-74. The appropriation request represented an increase of \$13.9 million (8.8%) over the 1972-73 appropriation of \$157.8 million. A \$1 million increase was requested for preschool programs expansion. This budget item stated that:

. . . during the current school year an amount of \$403,910 has been allocated to 31 school districts for preschool programs. A number of these programs are in combination with Title I, Johnson-O'Malley and OEO, and so far this technique of harnessing all available funds has proven

successful in bringing this program to children who require this opportunity. It is evident that the needs of children vary in relationship to their home environment, geographical location, levels of experience, etc., and that each program will have to be constructed in such a manner as to embody those particulars. A single, uniform program cannot bring about the accomplishments desired. For some children a 180 half-day session may be the avenue to program success, and for others a part-time, short-duration approach may be the answer. We should not confuse length or bigness with quality. It has, therefore, been recommended that an attempt be made to determine the effectiveness of a part-time summer preschool experience for larger numbers of children. Such a program would utilize available classrooms that are vacant during the summer months and districts would have personnel available who might be willing to extend their contracts for this additional service. This approach would not jeopardize the Title I or Johnson-O'Malley funds that underwrite full-year programs for children who require compensatory educational opportunities. A few school districts have been using the short-duration approach for a number of years and have claimed that these programs have proven to be successful and desirable. The increase of \$1,000,000 requested, when added to the \$400,000 obligated during the current school year, could provide a substantial increase in available preschool programs as noted above.³⁶

In late 1972 the State Department of Education requested Educational Evaluation Associates, headquartered in Los Angeles, to draft a proposal for implementing preschool programs in New Mexico. The document prepared by the Los Angeles consultants recommended the establishment of a variety of preschool model programs through the State in the 1973-74 school year.³⁷ A study could then be conducted of the benefits and costs that accrue from each of these models over a two-year period. The consultants recommended this approach because they felt that the research evidence that might be used to support the establishment of a universal preschool program for five-year-olds and of the differential benefits of various program models was inconclusive. Given this state-of-the-art, Educational Evaluation Associates felt it appropriate to adopt a cautious approach to preschool

program implementation that would assure long-time benefits for the preschool investment. The State Department and the State Board's recommendation for 1973-74 was for an additional \$1 million in state funds for preschool programs. The Board's recommendation stated that the \$1 million when added to the \$400,000 expended in 1972-73, would provide funding for statewide kindergartens on a part-time basis.³⁸ However, a Department of Education spokesman stated that the \$1 million increase would provide for planned, rational expansion of kindergartens as teachers and classrooms become available.³⁹

The State Department's recommended course of action, however, was not supported by all of the Department's personnel. In fact, during the latter part of 1972 and during the 1973 legislative session there existed strained relations within the Department over the kindergarten issue. Mrs. Collie, who had testified in the LSSC hearing in July, 1972, left the State Department in early fall. A new employee, Dr. Frank Steiner, took over the Early Childhood program planning. Friction was present from the start between Dr. Steiner and the hierarchy within the State Department. Dr. Steiner began development of plans for preschool implementation. However, he did not come into contact with the Educational Evaluation Associate's proposal. During the fall of 1972 Dr. Steiner and the Chief of the Public School Finance Division, Mr. Harry Wugalter, independently had occasion to attend an Education Commission of the States (ECS) meeting on Early Childhood Education in Denver, Colorado. This meeting gave Mr. Wugalter and Dr. Steiner a chance to get to know each other and gave both exposure to the views of Professor Edward Zigler of Yale on preschool

programs. At the ECS meeting Professor Zigler stated that the movement afoot in the nation to institute universal preschool education has as its basis extremely tentative, if not downright questionable, theorizing. Professor Zigler stated that the evidence in support of early schooling positive effects on later life success, as well as the evidence in support of the general conclusion that Early Childhood Education is harmful, are both equally unconvincing. Dr. Zigler went on to state that:

. . . there is a place in America for preschool education, a place that would justify its costs. Tax supported, preschool education should be limited to those children who could clearly profit from such a program. . . . It is not a parent's income that should determine the value of a preschool experience; it is rather the needs of the child. The handicapped child, the bilingual child and even the child from a disorganized home is not to be found only in one socioeconomic class. By organizing programs around the needs of all children rather than around the incomes of their parents, we will be able to target our efforts more effectively while at the same time being in a position to produce benefits commensurate with costs.⁴⁰

During the weeks just before the start of the 1973 session, several other events were happening simultaneously. After attending one of the KIDS meetings, Dr. Steiner agreed to help them formulate a strategy to obtain preschool legislation in 1973. His relationship within the State Department, meanwhile, deteriorated further during these weeks due to personality conflicts. Steiner sought advice from Mr. Wugalter on legislative alternatives for preschool. A high-ranking State Department spokesman, who was advocating the \$1 million phase-in strategy, let it be known that no legislation was really needed in the preschool area but rather just an appropriation. Though it wasn't stressed or even plainly mentioned, the reason for this assertion was the fact that the 1967 school

code change had enabled districts to establish kindergartens if they wished. The legislature needed only to fund them. This point was obscure to many people and even those that did perceive it possibly felt that local districts should not have the option of having or not having a preschool program--they felt all should have it.

The LSSC leadership felt that the State Department's position on preschool was acceptable. That is, they agreed with the assumption that legislation was not necessary and they favored the \$1 million phase-in plan. Some members of the LSSC, however, viewed kindergartens as essentially a babysitting service.⁴¹

The reaction of the chairman of the House Education Committee, who was a representative from Albuquerque, to the \$1,000,000 phase-in strategy was highly negative. He openly accused the Department of dragging its feet.⁴²

The KIDS group was very active. Newspaper and TV coverage was implemented in the Albuquerque area. The only documented negative response to their request for a group's endorsement of kindergartens came from the highly active special education group. In a letter to the KIDS group the education chairman of the New Mexico Association for Retarded Children stated:

Our primary concern for special education expansion suggests that we should not support the kindergarten effort for two reasons. First, we want to utilize our influence with the Legislature to the fullest in support of special education expansion and we feel that we might dilute that influence if we also lent our name in outright support of the kindergarten issue (which to us is distinctly secondary in importance). Secondly, we are concerned that there are some real aspects in which kindergarten expansion competes with special education expansion--particularly if the kindergarten expansion is proposed to be completed over a very short time scale

(for example, two to three years). In Albuquerque, for instance, the number of available elementary school classrooms is a factor which limits the rate of special education expansion and it appears that proposed kindergarten classes and proposed new special education classes will be competing for a limited number of classrooms.⁴³

As 1972 came to a close there existed a variety of opinions on what needed to be done in the 1973 legislative session on the preschool issue. The KIDS group wanted legislation for statewide kindergartens; the State Department wanted a \$1 million appropriated and no legislation; the LSSC leadership agreed with the State Department. Some legislators felt that kindergartens were a babysitting service, the Governor requested a \$1 million increase in funding for part-time kindergartens, while the chairman of the House Education Committee felt that the State Department was dragging its feet on the issue. Other policy makers agreed with Dr. Zigler's view that not everybody needs preschool experiences while other groups felt that support for kindergarten at this time would divert funds from other more necessary services. Thus, the 1973 session opened without a dominant direction on the preschool issue.

III. Legislative Decision Making

The 1973 Session--HB 360, HB 300. For the fourth consecutive year the legislature looked forward to ample revenues and healthy surpluses for the current and coming fiscal years. In addition to apparently more than sufficient money from the state's own sources, Federal revenue sharing had become a reality. The legislature was said to be facing an almost embarrassment of riches in 1973-74.⁴⁴

There was no preschool or kindergarten bill introduced in the first four weeks of the session. During this time Dr. Steiner formulated a position paper on Early Childhood Education in New Mexico. It incorporated many of the ideas presented by Professor Zigler at the Education Commission of the States meeting in the fall of 1972. Within this paper Steiner wrote:

It is no longer possible to justify early childhood programs on the narrow and unrealistic basis that they will determine the later school achievement of a child or even his performance on an obtuse paper and pencil test. . . . The more realistic philosophy which is gaining ground now is that an early childhood program can give varied and constructive experiences to the very young. Therefore, children should not be denied quality experiences simply because these experiences do not predict school performance nor show up in scores on narrowly conceived tests. . . . /Early Childhood/ programs should be developed according to the need and characteristics of the particular community and clientele being served. . . . /The/ program should be upward influencing on primary education.⁴⁵

Dr. Steiner also stated that implementation of a diversified comprehensive Early Childhood effort requires both an appropriate level of funding and adequate provision to insure program quality and the efficient and effective implementation of the programs. Dr. Steiner was highly interested in seeing preschool legislation passed in 1973. However, as stated above, the State Department felt legislation was not necessary. Some critics also felt that the Department was resistant because legislation would result in specific demands on their administration of the kindergarten programs.

Because of lack of response to his position within the Department, Steiner decided to search out other avenues of possibilities for legislation in 1973. He found out that Lenton Malry, the Chairman of the House Education Committee, planned to introduce a kindergarten bill within the

next few weeks. Dr. Steiner decided to consult Mr. Wugalter on what could be done to bring about a bill that would essentially be in agreement with his position paper. Shortly after meeting with the Chief, Steiner met with Lenton Malry. Representative Malry agreed to let Steiner work with the Legislative Council to draft a preschool education bill.

On the 28th day of the 60-day session, HB 360 was introduced by Lenton Malry and referred to the HEC and the HAFC. The bill called for the following:

1. Every school board shall establish and conduct early childhood education programs, and shall provide transportation for students attending these programs.
2. These programs shall be progressively phased in not later than September 1, 1977; provisions for phasing-in programs prior to September 1, 1977 may specify standards of eligibility for enrollment.
3. The Department of Education shall conduct annually a comprehensive ongoing evaluation of early childhood education programs. The evaluation shall include an exact and complete analysis of student progress, administrative and teaching effectiveness and school-student-parent relationships as they relate to each of the following areas: (i) social; (ii) intellectual; (iii) emotional; and (iv) psychomotor. The Department shall prepare annually a full and complete report containing the results of the evaluation.

The State Board of Education was assigned the task of adopting and promulgating regulations for the phasing in. There was no appropriation provision in the bill.

The HEC made a minor change in the bill and gave it a "do pass" recommendation on the 36th day of the session. Six days later the HAFC also gave the bill a "do pass" recommendation. HB 360 was then considered by the entire House. On the House floor an amendment was made to change the wording on the transportation of children from that of mandating such

transportation to that of simply allowing local districts to provide it if they wished. This amendment was seconded by Representative Malry, and HB 360 was subsequently passed by the House by a 40 to 18 vote on the 45th day of the session and referred to the Senate Education Committee (SEC) the next day. On the 50th day of the session the SEC gave HB 360 a "do pass" recommendation and two days later it was referred to the Senate Finance Committee (SFC).

While this progress was being made on HB 360, parallel progress was being made on HB 300, the General Appropriations Act. HB 300 was in the HAFC from the first day of the session and was given a "do pass" recommendation by that Committee on the 52nd day of the session. The public school support section of the HAFC version of HB 300 was over \$600,000 more than what the Governor had requested. The HAFC added the following to the Governor's request:

--\$264,000 for special education specialists to assist local districts in the identification and evaluation of exceptional children.

--\$325,000 to the program enrichment account to be used for cultural awareness teacher training programs.

--\$29,000 for regular student transportation.

All the other line items in the public school support section of HB 300 matched the Governor's request to the dollar. The HAFC version of HB 300 was passed by the House on the 53rd day of the 60-day session and was referred to the Senate Finance Committee on the 55th day. The SFC had received HB 360 for consideration on the 52nd day. Thus, HB 300 and HB 360 were then simultaneously considered by the Senate Finance Committee.

Since HB 360 carried no appropriation request, money would have to be made available in HB 300 to carry out the goals of HB 360. However, the House had not included an appropriation request for preschool in their version of HB 300 though they had passed HB 360. This is not a highly unusual occurrence in the New Mexico legislative process. The task, however, of reconciling the passage of HB 360 with the lack of appropriation in HB 300 was now in the hands of the Senate Finance Committee. The SFC was not in agreement with the House on a number of the public school support allocations in HB 300. Additionally, word had reached the Chief's office that the chairman of the SFC, Senator Aubrey Dunn, was opposed to HB 360. Dr. Steiner was informed of the situation of HB 360 and arranged to see Senator Dunn about the bill. Senator Dunn told Steiner that his major opposition to the bill was that it was not directed toward the target population that need the service the most. After discussing the merits of the bill with Steiner, Senator Dunn decided to vote for passage of HB 360 but to include language in HB 300 that would target monies from the program enrichment account to needed populations. On the 57th day of the session Dunn's committee gave HB 360 a "do pass" recommendation. On the 59th day of the session the SFC gave a "do pass" recommendation to HB 300. Among the amendments made to that bill was the addition of \$800,000 for targeted Early Childhood Education.

It is the intent of the legislature that the Chief of the Public School Finance Division allocate for distribution . . . the amount of \$800,000 of program enrichment funds for the purpose of implementing early childhood education programs that are directed toward serving those age-eligible children who exhibit developmental needs that, if unmet, are detrimental to personal success and that can or should be alleviated by such education programs.

Other amendments made by the SFC to HB 300 included:

- deletion of the \$264,000 for special education specialists.
- addition of \$2.3 million to the equalization account.
- increase of \$150,000 (\$550,000 to \$700,000) in the bilingual request with language earmarking the entire \$700,000 for bilingual education.
- deletion of the language setting aside \$325,000 from the program enrichment for cultural awareness teacher training programs.

The net appropriation result of the changes was a \$1.26 million increase to the House version and a \$1.89 million increased to the Governor's request. Table III below compares and contrasts the Governor's, the House's and the Senate's public school support requests by line item.

Table III

	Governor ⁴⁶	House ⁴⁷	Senate ⁴⁸
Basic Program	\$129,500.0	Same	Same
Special Education			
Distribution	8,000.	Same	Same
Administration	-0-	264.	-0-
Vocational Education	2,050.	Same	Same
Transportation			
Regular	10,259.	10,288.	10,288.
Special	700.	Same	Same
Qualification Distribution	125.	Same	Same
Supplemental Distribution			
Equalization	15,255.2	15,255.2	17,572.5
Out-of-State Tuition	150.	Same	Same
Emergency	200.	Same	Same
Isolated-essential Schools	200.	Same	Same
Program Enrichment			
Preschool	1,400.	1,400.	800.
Bilingual	550.	550.	700.
Other	537.8	Same	Same
Cultural Awareness	-0-	325.	-0-
Subtotals for Program Enrichment	2,487.8	2,812.8	2,037.8
Textbooks	2,790.0	Same	Same
Grand Totals	\$171,717.	\$172,335.	\$173.613.3

The actions of the SFC can be explained based on a couple of factors. The increase in the equalization account was a partial response to the need for greater equity of school resources among New Mexico school districts. The Governor had stated in his 1973-74 budget request that a change in the basic school finance formula would be presented for consideration in 1974. This was necessary in order to meet the demands that were arising in New Mexico based on school finance court cases such as Serrano vs. Priest in California. The realignment in the preschool and bilingual programs is explained in part by feelings in the Senate of uncertainty of the effectiveness of the preschool programs and in part by the feeling that not all children need this service. Some members of the Senate Finance Committee felt that movement toward statewide preschool programs should proceed slowly--so that the legislature could reach back in to adjust or alter the phasing-in if the need arose. Senator Dunn was not completely opposed to the idea of kindergarten, though he doubted its effectiveness, but was concerned that since only a limited amount of money was being allocated that those funds reach those children that need the service the most. Children from lower socioeconomic backgrounds should have the service first, he felt, since children from other backgrounds could be provided the advantages of a kindergarten by their parents.

HB 360 was passed by the Senate on the 58th day of the session; HB 300 on the 59th day. The House concurred with the Senate amendments to HB 300 on the 60th and last day of the session. The Governor signed both HB 360 and HB 300 about two weeks after the close of the session.

Additional Comments. During the session the executive director of the New Mexico Committee on Children and Youth, who was representing the KIDS group, met with legislators to gather support for HB 360. The NMCCY, however, didn't get involved in the appropriation process of HB 300. The legislature knew of the KIDS group and of their purpose and their reasons for supporting HB 360. The Association for Retarded Children was on record as not supporting kindergarten legislation at this time. Their fear was dilution of their efforts to gain increased support for special education funding. (HB 300 did increase special education funding by \$2,000,000 from \$6,000,000 to \$8,000,000.)

The major factors in the legislation's success seem to have been the existence of a large State budget surplus and the fact that those legislators who favored either statewide or targeted preschool programs far outnumbered those legislators who viewed kindergarten/preschool programs as babysitting services. House Bill 360 satisfied those who wanted statewide programs, while HB 300 satisfied those who wanted a targeted phase-in of kindergarten.

The Events Immediately Following the Passage of HB 360 and HB 300. HB 360 was passed by both Houses of the legislature by March 16, 1973. Eight days prior to that date the State Board of Education had been presented with Dr. Steiner's "Position Paper on Preschool Education." Dr. Luciano Baca, the Assistant Superintendent for Instructional Administration for the New Mexico State Department of Education and Dr. Steiner presented the position paper to the State Board. Dr. Steiner noted that the paper was compatible with the Early Childhood Education bill introduced

in the legislation which would require a phase-in of Early Childhood Education programs statewide by 1977. Dr. Steiner stated that it would be valuable if the Board would take some stand on the position paper to help insure the success of the proposed bill. The State Board, however, decided to accept the paper as a report but declined to take a position for or against it because the Board had not been given a chance to review the paper before the meeting. The fact that copies of the paper were not given to the Board prior to the meeting was viewed by some critics as a manifestation of the State Department's reluctance to support HB 360.

Normally, the Department of Education would have provided the Board a copy of any item that was to be adopted. The State Board further requested the State Department to prepare a policy statement and guidelines for implementation of Early Childhood Education programs prior to the next Board meeting.

On April 6, 1973, HB 360 was signed into law by Governor Bruce King. On April 27th, Dr. Baca presented the State Board with the position paper that had been presented to them in March and with proposed guidelines for participation of local districts in State funding for Early Childhood Education programs. Dr. Steiner was not present and was not mentioned during the course of the meeting. The guidelines for district eligibility for participation were based on the language in HB 300. The guidelines opened with the following comment:

The intent of the following guidelines is to insure that Early Childhood Education Programs are directed toward servicing those age-eligible children who exhibit developmental needs that are detrimental to personal success and that can and should be alleviated by such education programs. 49

This document further stated that:

Priority of need for establishment of Early Childhood programs in a district will be determined by evaluation of:

- a. the rate of retention in the local school district for the primary level of education;
- b. all available statistic/data on school program, staff, community, and children (i.e. school district's profile);
- c. knowledge of specific needs in local districts as evidenced by State Department of Education personnel.

Districts who wished to participate had to submit a proposal containing demographic data (geographic, socioeconomic, etc.), program and cost rationale, needs assessment (who will the program serve and for what reasons), program structure, accountable evaluation design, facilities description, and budget. In addition, school districts that anticipated shifting their Title I priority and funding from Early Childhood Education programs to another area of concern were to be considered a low priority for state funds to continue their present Early Childhood programs. The guidelines also stressed that local districts must establish parental involvement in their programs, longitudinal data collection on children in the programs, and provide for some of their allocated money to be used for in-service training of their teachers. Districts also had to be able to secure competent teachers and show evidence of adequate facilities and services for the program implementation.

The Board accepted the position paper and adopted the guidelines for eligibility as presented, making no changes. Thus, the language in HB 300 was adopted by the Board as guidelines for implementing Early Childhood program expansion.

SUMMARY OF RATIONALES

The evolution of the 1973 preschool bill, HB 360, can be traced back to the mid-1960's. The Federal Government began funding preschool programs for disadvantaged populations in this period. By 1966-67 two-thirds of the school districts in New Mexico had kindergarten programs which involved 38.6% of the potential first-graders in the State.

In 1967 Governor Cargo advocated increasing the number of kindergarten programs in the State through greater utilization of available Federal funds. Such funding, he said, would reach the children most in need of such programs, i.e. the economically deprived and the educationally disadvantaged. After evaluation of these federal programs the state could move toward a statewide offering, if the programs were found to be valuable. The Governor thought that such programs could provide an equal start in first grade for all students.

The State Department of Education, however, advocated use of State money immediately to phase-in preschool programs for all children. The Department cited research by Dr. Benjamin Bloom which stated that 50% of an individual's learning patterns have developed by age four and an additional 30% by age eight. Additionally, the Department noted studies by the National Kindergarten Association (NKA) that found children attending kindergarten had superior verbal abilities, quantitative reasoning and phonetic ability than children who had not attended kindergarten. The NKA also stated that children attending kindergarten evidenced a decided superiority in subsequent promotion in school when compared to the non-kindergarten group. The New Mexico AAUW and PTA advocated kindergarten

as a means to prepare youngsters for the demands of first grade. The primary opposition for statewide programs was lack of money. The legislature proposed state-supported programs (HB 230), but this move was intended more for embarrassment to the Governor than it was for actual movement for programs. This bill died without a vote in the legislature.

There was no legislative activity in 1968-69. However, the Chief of the Public School Finance Division started using small amounts of discretionary state funds for preschool programs in 1969. These state funds were used in combination with federal and local resources. The \$45,000 of state funds allocated in 1969-70 was justified on the grounds that simply "piling" more money into existing programs in grades one through twelve was not going to bring about the desired results in student achievement. Many children were found to be entering first grade so far behind their peers that they were already potential dropouts. Preschool programs were sought to prevent this from happening rather than to approach the problem through remediation programs as had been done in the past.

In 1970 House Bill 62 was introduced. The bill sought \$2,000,000 in State funds to be used for kindergarten classes for children whose learning potential requires preschool development to enhance successful educational experience. It was opposed and defeated on the basis of lack of state funds. However, the legislature did direct (HJM 10) the Legislative School Study Committee (LSSC) to devise a plan for financing kindergartens. This legislative study request stated that:

--Kindergartens are of great value in providing essential skills and knowledge to preschool children.

—These skills and knowledge enable children from economically depressed areas and children who are linguistically handicapped in English to meet the requirements of public schools with confidence and on a more equal basis.

—Children learn more in their early formative years than they do in later years.

The Chief allocated \$90,000 in discretionary funds for preschools in 1970-71. The basis for allocation was the same as it had been in 1969-70.

The LSSC study conducted in the latter part of 1970 in response to HJM 10 concluded that all children should be eligible for preschool programs. This committee felt that retention in first grade was too great throughout the state and reflective of the fact that too many pupils enter first grade before they are ready to learn in a very competitive and unfamiliar situation.

Based on the LSSC report, kindergarten legislation (HB 34) was introduced in the 1971 session. This bill sought \$1 million in state funds. The House Appropriations and Finance Committee gave the bill a "do not pass" recommendation again citing lack of funds. House Bill 223 tried to provide kindergarten funding by advocating a two-cent-a-gallon gasoline tax to finance kindergartens. This bill was opposed on both tax and funding bases. The legislature, however, set aside \$200,000 of discretionary funds for kindergartens. This line item entry was felt to be in response to the LSSC's report and bill.

During 1971-72 the Chief allocated about \$342,000 for preschool programs (the \$200,000 set aside and \$142,000 in other discretionary funds). These allocations were based on the same criteria as the previous allocations for preschools from this fund.

In 1972 there were no kindergarten/preschool bills introduced. The Chief allocated over \$440,000 for preschool programs from supplementary funds for the 1972-73 school year. These programs were said to be serving educationally disadvantaged children, educationally deprived children, children from lower economic level homes or areas, children of migrant workers, children who speak little or no English and children living in very isolated areas.

During the summer of 1972 the LSSC held a public hearing on the preschool issue. During that hearing Dr. David Darling of the University of New Mexico presented research findings from two studies--Moore and Moore and Benjamin Bloom--to the Legislative School Study Committee. Dr. Darling made three generalizations with reference to the results of this research:

1. There is evidence that early schooling experiences that are not consistent with the growth patterns of children can and do produce negative results in achievement, attitude and I.Q.
2. There is no evidence that early education experiences when consistent with the growth patterns of the children produce any negative results in achievement, attitude or I.Q.
3. There is evidence that general human characteristics are most susceptible to change by human intervention prior to age eight.

He concluded by strongly advocating Early Childhood Education, if that education does not fall into the patterns of formal grade schools and if the methods and goals of preschool teachers closely account for the unique growth patterns of four- and five-year-olds.

At the same meeting a spokeswoman from the State Department of Education stated that:

. . . human development is essentially a sequential process, early learnings are difficult to alter or replace. Children who have not had a suitable environment and stimulating experiences enter first grade so far behind their peer group that they are already potential dropouts. Preschool programs are designed to help these children enter first grade with a better chance for achievement in school and achievement in life. (Emphasis supplied.)

During the latter part of 1972 the New Mexico Committee on Children and Youth formed an umbrella-type organization called KIDS (Kindergartens-in-Demand-Statewide). Among the stated rationales for statewide kindergarten/preschool programs cited by this group were:

- failures in later school years can be reduced with carefully designed preschool programs.
- the greater part of a child's personality including the ability to develop his potential resources is formed by the time he enters first grade.
- kindergartens would make available early screening of learning disabilities and enable early treatment.
- kindergartens could include bilingual and special education components.
- kindergartens could save money by reducing the first grade retention rate.
- kindergartens can build up a five-year-old's self-confidence level; and there seems to be a high correlation between positive self-concept and school achievement.
- kindergartens' staff usually work closely with parents; parent involvement makes the school experience more successful--with the result of not only the child in the program being helped but any younger children at home.

The KIDS group sprang out of Albuquerque and was led by a number of newer residents of New Mexico. Many of these people had experienced and attended kindergartens in their home state. Part of their motivation for kindergartens could then be explained by their past experience of what public schools should be offering.

Also entering the environment in 1972 were several other opinions. Professor Edward Zigler of Yale University questioned the advocacy of universal preschool education and advocated instead the organizing of preschool programs around the needs of children in order to target efforts more effectively while at the same time being in a position to produce benefits commensurate with costs. Some legislators stated that kindergartens were simply babysitting services while special education groups felt that advocacy of preschool would dilute their efforts to get support for handicapped children.

The 1973 legislative session opened with varied opinion on what was needed in the area of preschool. The Governor, State Department and many legislators wanted an increase of \$1,000,000 for kindergartens. The KIDS group, the director of early childhood education in the State Department, and the chairman of the House Education Committee (HEC) advocated legislation for implementing statewide kindergartens. The legislature faced a large surplus of funds in 1973 for the fourth consecutive year. The outlook was for even larger surpluses in the future. The general mood of the legislature thus was not that of cutting and trimming proposals. The chairman of the HEC, with the help of the director of Early Childhood Education, introduced a bill (HB 360) that called for a gradual phase-in of preschool programs throughout the State. This bill carried no appropriation request. The task of reconciling passage of the plan for phasing in preschools with provision of funds fell to the Senate Finance Committee. The major opposition to the preschool bill in that committee was that no provision had been made as to what group of children would be the first recipients of the phase-in money. The feeling was that the disadvantaged should have the programs

first. The Senate Finance Committee resolved this issue by inserting language in the appropriations bill (HB 300) that targeted preschool funding toward disadvantaged populations. The State Board of Education adopted the wording in the appropriations bill as its guideline for future implementation of preschools in New Mexico.

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Mr. Luciano R. Baca, Assistant Superintendent for Instruction, New Mexico State Department of Education.

Ms. Maralyn S. Budke, Director, Legislative Finance Committee, New Mexico Legislature

Mr. Chris Carlsen, Staff Member, New Mexico Legislative Council Service, New Mexico Legislature.

Mr. Ronald W. Coss, Former Executive Director, Legislative School Study Committee.

Dr. James Craig, School of Education, University of New Mexico.

Senator Aubrey L. Dunn, State Senator, New Mexico Legislature.

Edward Jones, Title I Specialist and Follow Through, New Mexico State Department of Education.

Ms. Wilma Ludwig, Director of Elementary and Secondary Education, New Mexico State Department of Education.

Ms. Janet Malone, Early Childhood Specialist, New Mexico State Department of Education.

Rep. Lenton Malry, State Representative, New Mexico Legislature.

Mrs. Phyllis Nye, Member, New Mexico Association for Education of Young Children.

Mr. Weldon Perrin, Former Deputy Superintendent of Instruction, New Mexico State Department of Education.

Mr. James Pierce, Director of Teacher Education and Certification, New Mexico State Department of Education.

Dr. Stanley Pogrow, Department of Education, University of New Mexico.

Senator John D. Rogers, State Senator, New Mexico Legislature.

Mr. Henry G. Rodriguez, Member, New Mexico State Board of Education.

Dr. Frank Steiner, former early childhood specialist, New Mexico State Department of Education.

*A personal interview was conducted with each individual.

Father Albert Schneider, Diocese of Albuquerque, Albuquerque, New Mexico.

Ms. Barbara Warren, Member, Kindergartens-in-Demand-Statewide, Albuquerque, New Mexico.

Rep. William Warren, State Representative, New Mexico Legislature.

Mr. Harry Wugalter, Chief, Public School Finance Division, Department of Finance and Administration.

Chapter 7:

A Study of Early Childhood
Education in Ohio

by

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LIST OF ABBREVIATIONS

ESEA	Elementary and Secondary Education Act
HE 159	House Bill, Number 159
OEA	Ohio Education Association
SB 181	Senate Bill, Number 181
SDE	State Department of Education
Title I	Elementary/Secondary Education Act, Title I
Title III	Elementary/Secondary Education Act, Title III

OVERVIEW

I. General Environment

The state of Ohio ranks 35th among the states in physical size, although its population of ten million six hundred thousand places it sixth in that category among the fifty states. Slightly over 75 percent of its population is living in urban areas, placing the state slightly above the national average of 73.5% in that category. Nine of its cities have populations of 100,000 or more.¹ None of these cities, however, can be said to dominate the state in a manner such as Chicago or New York City do in their respective states.

Geographers divide the state into three regions: the Allegheny Plateau, the Lake Plains, and the Central Plains regions. The Allegheny Plateau encompasses most of the eastern portion of the state. It contains roughly ten percent of the population and constitutes one quarter of the land area of the state. The Plateau's economy is dependent on coal mining and other heavy industry. Few cities of note are located here. Rural poverty is also a characteristic of this section of Ohio.

The shores of Lake Erie and the northernmost counties comprise the Lake Plains region. This area is highly industrialized and within it are located the cities of Akron, Canton, Cleveland, Toledo, and Youngstown.²

The Central Plains comprise one half of the land area and house one half of the state's population. While this area is also a strong manufacturing area, in addition it constitutes the easterly terminus of the mid-western farm belt. Columbus, Cincinnati, and Dayton are located in this region.

Ohio's two million four hundred twenty-two thousand public school students attended schools in 624 school districts and 19 joint vocational districts in the school year 1972-73. An additional 319 thousand children attended private schools in that year.

II. Political Decision Making Environment

The Citizens Conference on State Legislatures rated Ohio sixteenth in overall legislative capability.³ The better features of the Ohio legislature, as cited by the Conference, include flexible and unlimited biennial sessions, single-member districts, moderate size (the House has ninety-nine members; the Senate, thirty-three), a small number of committees (the House has fourteen; the Senate has nine), and a reasonable number of committee assignments. Major deficiencies noted stemmed from inadequate resources such as physical space and the number of types of staff support.

The Governor's office rates at the top on budget powers and veto power and almost at the top on tenure and appointive potential which gives the office of the governor a very high rating on overall formal powers.⁴

The elected State Board of Education consists of 23 members representing the twenty-three congressional districts of Ohio. The Board, in conjunction with the State Department of Education, prepares biennial legislative recommendations which are sent to the Governor and each member of the General Assembly (House and Senate). Permanent or standing committees within the Board are not allowed. It was the opinion of many people that we interviewed that the Board does not have a large influence on educational policy formulation within the state. In general, the State Board's legislative recommendations can be viewed as the State Department

of Education's recommendations.

Two views were put forth on the role played by the Ohio State Department of Education (SDE) in educational policy making. One was that the Department was a passive player--reacting to issues rather than initiating them. The other was that the Department was a shrewd actor--knowing when and just how far to advance an issue. The Chief State School Officer, who is appointed by the State Board, has established a good interface with the State Board and the General Assembly. The Department's legislative liaison prepares or helps prepare bills on all of the State Board's legislative recommendations. The opinion of each of the legislators that we interviewed was one of respect for the legislative liaison.

There are several interest groups that play varying roles in the formulation of Ohio educational policy. These include, but are not limited to: the Ohio Conference of Parents and Teachers, the Ohio Education Association, the Buckeye Association of School Administrators, the Ohio School Boards Association, the Ohio Association of Public School Employees and the League of Women Voters. The Ohio Education Association (OEA) is by far the largest and most influential among these. It has a large and sophisticated research department as well as an extensive and active legislative lobby division. Beginning in about 1970 the OEA actively endorsed candidates for governor and for the General Assembly. The Association both sponsors and supports legislation.⁵

EVOLUTION OF LEGISLATION

On September 30, 1973, Ohio House Bill 159 (HB 159) was enacted into law. This statute requires all Ohio school districts, except joint vocational districts, to offer kindergarten by September 30, 1975. What

prompted the Legislature to undertake this initiative?

I. Background to Reform

In 1968 the Ohio Department of Education contracted the Battelle Memorial Institute, Columbus Laboratories, to prepare a series of educational reports. Funds for the project were made available by the Ohio Department of Education under provisions of Title III of the 1965 Elementary and Secondary Education Act (ESEA). The project was entitled Planning to Meet Educational Needs in Ohio Schools. The reports covered, among other things, needs assessment in vocational education school facilities, educational technology, regional service centers and preschool education. The actual work on the Battelle preschool study was begun in November 1968. It was the opinion of those who were in the State Department of Education at that time that the emergence of preschool education as an area of concern in Ohio in 1968 could be traced back to another provision of ESEA: Title I. This act provided for preschool programs for disadvantaged youth. Between 1965 and 1968 national level policy makers applauded the results of the programs started under this title. It was principally a response to the attention given these federal programs that led to the State Board of Education recommending in January of 1969, prior to the completion of the Battelle study, that

With the accumulation of research evidence on the value of preschool experience in Head Start and other programs, kindergarten should be required in all school districts beginning September 1, 1972. Legislation should also be enacted that would permit boards of education to pay for preschool programs other than kindergarten.⁶

This statement was contained on page ten of the State Board's recommendations and was the seventh general area in which legislation was sought.

It can be viewed then as an area of concern to the Board but not constituting a very high priority need. Fiscally and statistically, the impact of mandating the offering of kindergarten, even in 1968, would have to be considered small. The Ohio law authorizing school districts to operate classes for kindergarten was enacted in 1935. State support for kindergarten children was initiated at the same time. By 1968 slightly over 79% of all children entering first grade had attended kindergarten. That figure rises to almost 87% if we exclude children attending non-public schools.⁷ However, approximately 30% of the public school districts did not offer a kindergarten program in 1968-69.

II. Initiation of Reform

The First Bill - Senate Bill 181 (1969). In March 1969, Bill Number 181 was introduced in the Ohio Senate by the Chairman of the Senate Education, Health and Welfare Committee. The wording in this bill paraphrases that in the State Board recommendation noted above. Records on the proceedings of the bill were not retained by any party in Ohio. However, we did find that the bill was referred to the Education, Health and Welfare Committee--amended and reported by them only to be indefinitely postponed. The transportation of kindergarten pupils was cited by the State Department of Education's legislative liaison and by various legislators as the major obstacle to its movement. Under Ohio law the transportation of elementary pupils was to be reimbursed by the state. The law, though, was vague as to what grades were elementary. Since kindergarten was not a mandatory offering, the state was under no obligation to reimburse transportation for kindergarten programs. Mandating the offering of

kindergarten without providing for transportation was unacceptable to some legislators while amending to include transportation was either not considered as being a possibility or adjudged to involve too many changes to be included in SB 181. There was little discussion on the merits of kindergarten programs within the Education, Health and Welfare Committee. Opposition centered on transportation of kindergarten children which proved to be a large enough obstacle to stop any further consideration of the bill in the 1969 legislative session.

The Battelle Findings. In September of 1969 the Battelle Preschool Report was completed. The objectives of this study, as stated in the Report, were to:

Determine whether a need exists for establishing a statewide policy of early education in Ohio.
 Define what priorities, if any, for preschool education are implied by the need.
 Suggest what recommendations are relevant to and appropriate for the establishment of such a policy.⁸

The Battelle researchers found a need for a statewide policy, established three priorities based on the need, and made a series of 22 recommendations among these priorities. The highest priority dealt with establishment of a policy concerning the education of children reared in poverty, i.e., depressed metropolitan, rural, and semi-rural areas of the state. Fourteen of the twenty-two recommendations pertained to this priority.

The second priority concerned kindergarten and contained three recommendations. Pre-kindergarten was the third priority. With regard to kindergarten, Battelle had this to say:

...The evidence concerning kindergarten is somewhat scattered but conclusive. The research which compares achievement of first-grade children who attended

kindergarten with those who did not, clearly favors those with kindergarten. National statistics presented show no more than six states which do not have state statutes concerning kindergarten ... over the past decade kindergarten enrollment has increased 41.3 percent. Approximately 70 percent of all Ohio's elementary school systems now offer kindergarten ... In view of the national and Ohio trends and evidence concerning the benefits of kindergarten, it is recommended that the attendance in kindergarten be made compulsory for 5-year-old school-age children. (Emphasis mine.)⁹

III. Legislative Decision Making

The State Board's 1971 Recommendation. Since 1970 was the second year of the biennium, the State Board did not make legislative recommendations in that year. However, in 1971, the Board, on page two of their recommendations, stated that:

Recent research has shown the development of cognitive processes and capabilities in young children is linked to subsequent achievement ... therefore ... All school districts should be required to establish a kindergarten program which meets minimum standards. Any youngster five years old by September 30, should be required to attend kindergarten, effective with the 1973-74 school year. (Emphasis mine.)¹⁰

However, the major issue the Board addressed in 1971 was reform of Ohio's school support tax framework. The year 1970 was also a gubernatorial election year in Ohio. The central issues in that election were tax reform and school finance. Ohio had not experienced a major tax structure revision since the 1930's. Both gubernatorial candidates' platforms included some form of income tax. The Democratic candidate, who had supported a state-levied, statewide personal and corporate income tax, emerged as the new governor. He was also the first candidate that the Ohio Education Association actively supported. Both houses of the legislature, however, remained in the firm control of the Republicans. The

ensuing legislative session (1971) witnessed almost nine months of continuous debate and negotiation between the Democratic Governor and the Republican-controlled legislature over the provisions of the general appropriations and school finance bill for the 1971-73 biennium. An integral part of this bill (HB 475) was a proposed increase in the level of state support for elementary and secondary education. Many incremental changes pertaining to elementary and secondary education were also part of HB 475 (1971).

The 1971 Kindergarten Bill: HB 496. Into this environment House Bill 496 was introduced. This legislation was sponsored by the minority whip of the House, not by the Republican chairman of the Health, Education and Welfare Committee. (The 1969 bill, SB 181, was introduced by the Republican Chairman of the Senate Health, Education and Welfare Committee.) It was the standard procedure of the State Department of Education's legislative liaison to have bills introduced by the majority party. However, it appears that the SDE favored the Democratic governor's budget proposal which possibly could account for having HB 496 introduced by Democrats. In any event, the bill never even made it to the Health, Education and Welfare Committee. In addition to the fact that major attention was on HB 475 (the appropriations bill), which had been introduced six days earlier, two other obstacles prevented its consideration in 1971. The first was the transportation problem which had stymied SB 181. The second was the non-public school issue. HB 496 (1971) unlike SB 181, called not only for mandatory offering of kindergarten but also for compulsory attendance. While over 86% of the total kindergarten-age population in 1970-71 had attended kindergarten programs only 3,968 of the 19,862 children who had attended

first grade in non-public schools in that year had attended a kindergarten program. To mandate kindergarten attendance, then, would either force non-public schools to offer more kindergarten programs or force parents of these children to send them to public kindergarten and then into the non-public school. Finance ruled out the former, while preference ruled out the latter. These three issues then: (1) the overshadow of HB 475, (2) kindergarten transportation, and (3) the non-public school issue, stopped cation on the HB 496 at the earliest of stages. The attention of the SDE and educational interest groups was on school finance. Interest in the kindergarten bill was lost for the 1971 session.

The Bill That Passes: HB 159 (1973). Nineteen seventy-two was again the second year of a biennium. Hence there were no new State Board recommendations and no legislative actions on kindergarten. On January 1, 1973, however, the State Board recommended the following:

Early childhood development learning experiences such as kindergarten appear to be helpful in the general education of children. Regrettably, some children are denied these experiences. All school districts should be required to establish a kindergarten program which meets minimum standards so that any youngsters five years of age by September 30, 1974, would be permitted to attend kindergarten, effective with the 1974-75 school year¹¹ (Emphasis mine.)

The Board, aware of the non-public school issue, had drawn back from its recommendation of compulsory attendance.

The 1972 state elections had resulted in the Ohio House changing from a Republican majority to a Democratic majority. New committee chairpersons in the House were chosen by the Speaker. The SDE's legislative liaison met individually with the Republican chairwoman of the Senate's Health, Education and Welfare committee and the chairman of the counterpart

committee in the House to discuss the Board's recommendations. The kindergarten issue ended up in the House. The chairman of the House Health, Education and Welfare committee decided that the new freshman legislators should be given some bills to sponsor. Kindergarten was one of these bills. Consequently, HB 159 was introduced on February 6, 1973. Essentially the bill as introduced would have required all school districts to offer kindergarten by September 30, 1974.

A rather curious event had occurred in the 1971 session that would prove to greatly aid this year's kindergarten effort. HB 475, the hotly debated appropriations and school finance bill of 1971, had contained a language change pertinent to the transportation of elementary and secondary pupils. The wording in the former statute had stated that local boards must transport qualified elementary pupils but had the option of transporting or not transporting high school students. The question raised by local officials was at what grade level does elementary school end and high school begin. In the legislators' efforts to clarify this issue, HB 475 amended the code by defining elementary school as consisting of grades kindergarten through eight. Thus, kindergarten transportation was now to be reimbursed by the State. The cost of this inclusion in state funds totaled about \$3 million dollars. State Department officials disclaimed any intent to aid the kindergarten bill but rather attributed the inclusion of kindergarten to a legislative oversight.

With the transportation issue resolved in other legislation and with the Board's withdrawal from the Battelle recommendation for compulsory attendance, HB 159 did not face the impediments that obstructed the movement of HB 181 (1969) and HB 496 (1971).

Two amendments to the bill were considered by the House Education, Health and Welfare Committee. The first amendment was to change the effective date of the bill. As stated earlier the bill originally required all school districts to offer kindergarten by September 30, 1974. That date, however, ran into trouble because it would have meant that funds necessary for its implementation would have had to come out of the upcoming biennium's budget (1973-75). The bill's sponsor and other members of the Health, Education and Welfare Committee sensed that the fiscally conservative members of the Assembly would reject the bill on the grounds that there were insufficient funds for the bill in the 1973-75 budget. Therefore, a Committee amendment was sought to change the effective date from September 30, 1974, to September 30, 1975. The change was passed by the Committee and so amended. The result was that the bill would now have no fiscal impact in the upcoming biennium.

The second amendment considered was an attempt to make attendance compulsory. The sponsor of this amendment felt that those children who really needed a kindergarten-type program would not attend if it were not mandatory. This new Assemblyman was then confronted with the non-public school issue by his colleagues. He reluctantly dropped the proposed amendment.

The bill was voted out of Committee as amended, passed by the House (72 to 21), received and reported by the Education and Health Committee of the Senate, passed by the Senate (20 to 11) and signed by the Governor. Opposition in the House and Senate centered around fiscal considerations. There was no legislative debate on the merits or demerits

of mandating the offering of kindergarten. We found no evidence of a surfacing of the then ongoing national discussion on the issue of early childhood education. The Ohio Education Association had supported the bill and testified in its behalf. No other major interest group played a significant role either in support or opposition. None of the legislators, including the new legislator who had proposed the compulsory attendance amendment, that we interviewed had heard of the Battelle Preschool Study. The State Department of Education's legislative liaison had presented a summary of the Report's conclusion on kindergarten but with the compulsory qualifier removed. In addition, the State Department advanced the idea that such legislation was needed to insure uniformity of the educational offering in Ohio citing that there were still a few districts that did not offer kindergarten programs.

The statistical and fiscal impact of the bill was small. By 1972-73 almost 90% of Ohio's pupils who were in first grade had attended kindergarten. Almost 98% of those children who were in public school first grade in that year had attended kindergarten the year before. By 1972-73 only sixteen districts (out of 624) did not offer kindergarten. The potential kindergarten enrollment in these districts was less than 2,500 pupils. The increased cost to the state for the transportation and instruction of these children was estimated to be less than \$700 thousand.¹²

The structural implications, however, do appear to be important. One of the bill's sponsors gave the following scenario. In the late 1960's and early 1970's school districts in Ohio were experiencing a financial crunch. These districts began using their non-mandated kindergarten programs as the sacrificial lamb. Some districts used the situation as a

scare tactic to gain support for their proposed budget. With the passage of HB 159 (1973), however, kindergarten became firmly established as part of the basic educational program in Ohio.

SUMMARY OF RATIONALES

Ohio established legislation to allow local districts to establish kindergarten programs in 1935. In that same year the state began providing foundation funds for these programs. By 1965 almost 70% of its eligible pupils were in kindergarten. In that year with the passage of the Federal Elementary and Secondary Education Act, increased national attention was directed toward preschool programs. Based on the results of these federal programs and with funds from another provision of ESEA, Ohio, in 1968, initiated a study on preschool education needs and recommended legislative action directed at establishing kindergartens in all of Ohio's public school districts. This first legislative attempt, SB 181 (1969) was stymied over the issue of lack of state support for the transporting of kindergarten pupils. Later in 1969 the Battelle Study recommended both the mandatory offering of kindergarten in each district and compulsory attendance of all pupils. Battelle based its recommendations on empirical evidence which showed that the achievement of first-grade children who attended kindergarten was superior to those who did not attend kindergarten and on the fact that kindergarten had widespread acceptance throughout the United States. Legislation, HB 496 (1971), aimed at implementing this recommendation was blocked again by the transportation issue and also by the fact that non-public school pupils might be forced to attend public school

kindergartens. In 1971, in a possible legislative oversight, kindergarten transportation reimbursement became a state obligation. The State Board, aware of the non-public school problem, withdrew its compulsory attendance recommendation in 1973 while still recommending the mandatory offering of kindergarten in each district. The State Department of Education and the Ohio Education Association spoke in support of the new 1973 legislative action (HB 159). The SDE, in addition to using the Battelle rationales, spoke of insuring uniformity of the educational offering in Ohio—pointing to the fact that sixteen districts did not have kindergarten programs in 1972-73. The effective date of HB 159 had to be delayed in order to avoid conflict as to whether or not sufficient funds would be available to meet the needs of the bill in the approaching biennium. There was no legislative debate over the merits or demerits of mandating kindergarten. By 1972-73, the year of the enactment but two years prior to the effective date, over 98 percent of Ohio's public school first grade pupils had attended a kindergarten program the year before. Only sixteen districts (out of 624) were not offering kindergarten programs in that year with a potential kindergarten enrollment of 2,500 pupils in those districts. The increased cost to the state for these children would be less than \$700 thousand.

However, HB 159 (1973) had made a significant impact on Ohio public education, in that kindergarten had now become part of the basic educational offering within the state.

OVERVIEW

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11. Ohio State Board of Education, "Recommendations for Legislative Consideration," January 1973, p. 3.
12. Information received in letter from Dr. Spayde to the author.

INTERVIEWS*

Dr. G. Robert Bowers, Assistant Superintendent, Instruction, Ohio State Department of Education.

Larry H. Christman, State Representative, Ohio.

Carrol Drewes, Ohio Legislative Service Commission.

Dr. Dennis McFadden, Battelle Memorial Institute.

John H. Hall, Ohio Education Association.

Dean Jollay, Ohio School Boards Association.

Dale Locker, State Representative, Ohio.

Dr. Ray Nystrand, School of Education, The Ohio State University.

Donald J. Pease, State Representative, Ohio.

Peggy Siegel, Doctoral Candidate, The Ohio State University.

Ray Smooth, Legislative Intern House Education Committee.

Dr. Paul Spayde, Assistant Superintendent, Department Services, Ohio State Department of Education.

Jewell Vroonland, Ohio Legislative Service Commission.

Clara E. Weisenborn, State Senator, Ohio.

*A personal interview was conducted with each individual.

Chapter 8:

Federal Stimulus and Executive
Leadership: A Study of Early Childhood
Education Policy Making in Georgia

by

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LIST OF ABBREVIATIONS

APEG	Adequate Program for Education in Georgia
CSSO	Chief State School Officer
ECD	Early Childhood Development
ECE	Early Childhood Education
DFCS	Department of Family and Children Services
DSW	Department Social Welfare
ESEA	Elementary and Secondary Education Act
FY73	Fiscal Year 1973
GAE	Georgia Association of Educators
GASS	Georgia Association of School Superintendents
GEIC	Georgia Educational Improvement Council
GSBA	Georgia School Boards Association
GUE	Georgians United for Education
HB 453	House Bill, Number 453
HEW	Department of Health, Education and Welfare
LEA	Local Education Agency
MFPE	Minimum Foundation Program for Education
OCD/ HEW	Office of Child Development/Department of Health, Education and Welfare
PTA	Parent-Teacher Association
SB 676	Senate Bill, Number 676
SBE	State Board of Education
SDE	State Department of Education
SEA	State Education Agency
Title I	Elementary and Secondary Education Act, Title I
Title	
IV-A	Social Security Act, Title IV-A
UEC	Universal Education Corporation

FOREWORD

We have modified our approach to the Georgia case due to a set of unique circumstances. Initially, we had selected House Bill 421 (1973) as the focus of our investigation. It offered us the opportunity to analyze an unsuccessful Early Childhood Education (ECE) initiative. We sought to improve our understanding of this policy issue by exploring the context and dynamics of one state where the ECE legislation had been rejected—to explore the reasons for the failure of this legislation. However, in the interim between selecting our cases and the data-gathering visit to Georgia, we were informed that HB 421 (1973) was only a stage in a broader policy drama. Therefore, we expanded this case study to include integral pieces of legislation: Senate Bill 676 (1972) which enacted an Early Childhood Development (ECD) program that set the stage for the introduction of HB 421; Senate Bill 672 (1974), the Adequate Program for Education in Georgia (APEG) legislation, which was a comprehensive education plan that provided an authorization for kindergarten for all 5-year-olds; and House Bill 170 (1975), the budget bill, that included a line-item appropriation for statewide kindergarten.

In the second section of the case, Evolution of Legislation, we have developed three basic questions to assist the reader in understanding the dynamics of ECE policy making over the four legislative sessions:

- (a) Why after so many years of resistance to ECE reform was the political system motivated to act;
- (b) Who was responsible for brokering this reform through the legislative process; and
- (c) What is the status of ECE reform in Georgia?

OVERVIEW

I. General Environment

Before entering into an analysis of the legislation, let us direct some attention toward the environment in which the policy will be considered. In the decade of the 1960's, the state's population grew by 16 percent (3 percent greater than the national average) to 4,589,569. The non-white population of Georgia in 1970 was 1,184,062, or 25%. Between 1950 and 1970, Georgia began to reflect the national trend toward urbanization--from 45 percent urban in 1950 to 60 percent in 1970. Most of the urban population is concentrated in five major metropolitan areas: Atlanta, Savannah, Columbus, Macon and Augusta. The so-called black belt--which reaches to Atlanta on the north and runs diagonally across the center of the state--and the southern and eastern portions of the state comprise the poor, rural sections of the state. In 1970, the median family income in Georgia was only \$8,165, nearly \$1,500 below the national average. There were 192,465 (or 16.7%) Georgia families with an income below the prevailing poverty level; 50% were Negro families, which represented an incidence rate of four out of ten Negro families in Georgia while the incidence of poverty among white families was only one out of ten.¹

Georgia's public school enrollment for 1971 totaled 1,094,000 in 189 county school districts. While there were no state-sponsored Early Childhood Education (ECE) programs for pre-first grade children, the state did provide a high percentage of the revenue for public elementary and secondary schools (52.7% in contrast to the national average of 40.9%).

II. Political Decision Making Environment

Legislature. The Georgia Assembly consists of two chambers, a senate with 56 members and a house with 180 members. A large volume of legislation—nearly 2,000 bills and resolutions—is introduced for consideration at each brief but annual session (45 meeting days in odd-numbered years and 40 meeting days in even-numbered years). The legislative process has been characterized by "disorder and confusion, boisterous horseplay and the last-minute rush...high turnover in membership, inadequate compensation and accommodation and under-representation of the lower economic and social groups."² The Citizens Conference on State Legislatures ranked the Georgia Legislature 45th among the states on its composite measure of "technical effectiveness."³

Legislative organization and legislative process reflect the domination of the presiding officers. Both the Speaker of the House and the President of the Senate (the independently elected Lieutenant Governor) exert tremendous power over all legislative business, particularly through their control of committee and chairmanship appointments and the Rules Committee which fixes the calendar for legislative business in both houses. Such an arrangement allows the leadership to overshadow their respective bodies when they assume a strong position on a particular issue.

The legislature opens near the middle of January for twelve days to organize and to receive the Governor's budget. Following a two-week recess, during which the Appropriations Committees hold hearings, the General Assembly reconvenes on the second Monday in February for the duration of the session. The education committees are fortunate in having

the assistance of the Georgia Educational Improvement Council (GEIC). This body (composed of a staff of three professionals plus interns) conducts studies at the committee's direction and compiles reports concerning education in Georgia. The Georgia General Assembly gives inadequate consideration to proposals in committees and on the floor.

An important feature of the system's politics is the leader-follower relationship where ordinary members look to particular leaders for cues on particular measures: "Bellwethers still lead the way. Many members know nothing or very little about the measure upon which they are voting."⁴ This type of legislative behavior has produced circumstances, unfortunately not uncommon, where the attitudes of legislators appear to be incongruent with those of the general public. Thus the requirement of an absolute majority in both houses for the passage of a bill has been largely academic, for the overwhelming majority of measures have been adopted or rejected by unanimity or near-unanimity.

In terms of policy formulation, the Georgia Legislature functions mainly to ratify or reject. Inadequate staffing, rapid turnover for members, relatively low salaries, lack of work space and research facilities, as well as an inordinate preoccupation with locally oriented legislation, do not make for an independent body. Rather than supplying initiative in dealing with political problems, the General Assembly reacts to the policy proposals advocated by the executives, agencies and special interests.⁵

The Executive. The Georgia Governor rates as rather weak (in the mid-third quartile among the states) on Schlesinger's Scale of Executive Powers.⁶ The one-term limitation appears to contribute to a great deal of

maneuvering and faction-building within the legislature among potential aspirants to the governorship and to weaken the Governor's ability to broker his legislative programs. Thus each gubernatorial election produces the ascension of an inexperienced Chief Executive whose personal staff is severely limited by statute and a fragmented executive branch of government. The Governor, though constitutionally weak, has been able to exert considerable pressure through his role as director of the budget (which enables him to manipulate surplus revenues) and the exercise of the line-item veto. There is one other intangible asset. The Governor is still looked upon as a popular champion. He is still expected to use initiative to formulate proposals and programs to deal with the needs of the state as a whole.

State Education Agency (SEA). The Georgia State Education Agency is composed of the State Board of Education (SBE), and the State Department of Education (SDE), with the State Superintendent of Schools, or Chief State School Officer (CSSO), serving as Executive Secretary to the State Board and Chief Administrator of the State Department.

The Chief State School Officer is an independent constitutional officer selected in a partisan election. He is charged with the execution of state school laws, with the responsibility for establishing the regulations and procedures for carrying out SBE policies, and with the administration of the State Department of Education. He is obliged under "State Policies and Executive Procedures" to "counsel with members of the General Assembly, especially with those committees directly concerned with education; and [he] must provide information and interpret it to them."⁷ This obligation provides the opportunity for the CSSO to present his views on

budgetary priorities directly to the legislature independent of the Governor's budget. The present State Superintendent, Jack Nix, views the legislature as the crucial arena of education decision-making and has proven himself extremely influential in promoting education legislation he supports and in blocking legislation he opposes. A recent survey revealed that among legislators, the CSSO has more political influence on education issues than does the Governor.

The ten-member appointed State Board of Education has been almost totally dependent on the initiatives and cues of the CSSO in policy formulation. The Board only recently established a legislative committee to serve as a mechanism for formal development and presentation of SBE legislative proposals to the legislature. Some observers see this as a strategy by some Board members, appointees of the new Governor Carter, to counteract the personal influence of CSSO on SBE policy-making prerogatives.

Educational Interests. The dominant educational interest group in Georgia in terms of policy influence is the Georgia Association of Educators (GAE) which enrolls approximately 43,000 out of a possible membership of 53,000 teachers, principals and superintendents. Other interests include the Georgia School Boards Association (GSBA) and Georgia Association of School Superintendents (GASS). A major achievement of the educational interests has been the formation of an education coalition entitled GUE--Georgians United for Education--which includes the above groups plus the SDE and state Parent-Teacher Association (PTA). This has provided the mechanism for the development of common positions on legislation, such

as their support for kindergarten as their Early Childhood Education policy priority.

EVOLUTION OF LEGISLATION

I. Background to Reform

In approaching our first question, why after so many years of resistance to ECE reform was the political system motivated to act, there seem to be two sources of pressure for addressing the issue of Early Childhood Reform in Georgia: one arising within the state political system and a second series of factors impinging on Georgia from the outside.

Intrastate Sources. While interest in the establishment of kindergarten services can be found very early among Georgia education leaders, fiscal problems have been the major impediment to this reform over the years. The first major legislative breakthrough in the area of state services for young children came in 1968 with the passage of HB 453, the Comprehensive Special Education Act.

Since kindergarten bills were receiving little legislative recognition, a conference was organized under the leadership of GEIC in December, 1969, to bring together the major education, community and legislative leadership to consider "The Dollars and Sense of Kindergarten." The primary goal of this conference was to crystallize support through the development of a common understanding and definition of kindergarten and to assuage the personal and organizational resistance of critical state leaders, notably then Governor Maddox. The conference also served to publicize two potentially alarming state statistics on the high number of failures in first

grade in Georgia, e.g., 11,367 during 1968-69, a retardation rate of almost ten percent compared to a national average of five percent, and on the retention cost to the state, e.g., at \$556 per pupil this extra year cost the state over \$9 million.⁸

In 1970, a House Interim Subcommittee on Early Childhood Education did report that "the high number of failures in Georgia first grade classrooms is probably related to the lack of a statewide kindergarten program" and that "school dropouts are linked with a lack of preschool education and poor performance in early elementary schools" (emphasis mine),⁹ but there was no formal consideration of the kindergarten issue. Similarly, a 1971 SDE bill which proposed a \$5 million program that would establish one kindergarten per school system failed to gain even formal consideration by either of the legislative education committees through the 1971 legislative session.

Federal Influences. A major catalyst for addressing the needs of young children has been the social legislation of the 1960's at the federal level. In 1968 Congress passed Title I, the Elementary-Secondary Education Act (ESEA) in order to meet the special needs of educationally deprived children. In 1969-70, 43 Georgia school systems had public kindergartens supported by federal ESEA, Title I funds. Under this federal program \$73.8 million and \$.672 million were provided at \$625 per child for kindergarten and prekindergarten services respectively.¹⁰

A second source of federal stimulation in one preschool area has been Project Head Start, which was authorized under the 1964 Economic Opportunity Act, Title II-B, to provide a comprehensive program to disadvantaged children who had not reached the age of compulsory attendance. The Office

of Child Development/Health, Education and Welfare (OCD/HEW) strongly advocated the primary need for an independent state mechanism to coordinate overlapping federal and state programs. This produced a tension between its federal administrative preferences and the existing state organizational structures, especially in states such as Georgia, where the Department of Education had been administering preschool programs under Title I funding. The SDE opposed the unsupervised involvement of non-educators, such as community persons working for Head Start, in preschool education programs in Georgia.

A third federal catalyst has been Title IV-A, Social Security Act Amendments which provided matching federal funding for child care to children of past, present and potential welfare recipients. The federal decision to deliver Title IV-A funds only under state welfare agency's (DSW) guidance and the establishment of DSW's exclusive role in the administration of state, day care/child care plans irritated the already strained relationship between the Georgia SDE and the DSW over this emerging area of state responsibility. The Georgia case will illustrate this inherent conflict between these two competing state agencies over administrative priority in the preschool area.

Title IV-A legislation did present a unique and unanticipated source of new resources to those states (and state policy-makers) who could gear up for this new policy area; the size of the federal subsidy was totally dependent on the amount of state and local revenue appropriated for this program. The federal government would pay 75% of the costs of day/child care and reimburse the state.

A reliable 1971 survey showed the impact of these Great Society programs: 35,413 needy young children under six years of age out of a population of 536,720 were receiving regular or summer education or child care services in either Head Start programs, 9-month Title I kinder-

garten programs in public schools, or Title IV-A child care or mental retardation centers. A total of \$28 million dollars was being spent on various child care and early education services and programs in Georgia during fiscal year 1972 (FY1972).

Of this amount, 82% or \$23 million came directly from federal sources.¹¹ However, through the 1971 legislative session the Georgia General Assembly and major Georgia policy-makers had not recognized the broad possibilities of the Title IV-A "pot of gold." They had not responded with any major policy proposal.

II. Initiation of Reform

Election Platform. Kindergarten took on new significance in the 1970 gubernatorial campaign. Jimmy Carter, former Chairman of the Senate Education Committee and ultimate victor from rural south Georgia, included in his campaign platform a call "to initiate a full-term, statewide kindergarten program within the state school system."¹² During the first few months of the new administration executive attention was drawn to the national level where significant policy activity was forecasting a major federal breakthrough in the area of social services and comprehensive child care reform. This policy activity was very much in line with the Governor's priorities, both to address the broad needs of the young children of Georgia and to initiate an administrative reorganization of the state bureaucracy.

Executive Task Force. The Governor's first response was to appoint a special task force on Early Childhood Development (ECD) as a vehicle for developing a program "to provide the best possible services to the people of Georgia."¹³ The group included full-time representatives from the four

major Social Service Agencies--Education, Health, Labor, Family and Children Services--and the Governor's Office.

Within the executive staff (a team of largely young, inexperienced, but innovative policy makers) there was an HEW Fellow whose most recent and only prior policy experience had been at the federal level in the Office of Child Development. Since this agency had been known for its strong federal advocacy of an "interagency" approach to program administration--a position complementary to Governor Carter's--Mr. Jack Burris was nominated and encouraged to critically address this policy issue and "not to be bounded by existing institutions," i.e., political considerations.¹⁴ Special funding was found out of the Department of Family and Children Services--an agency directly under the Governor--to hire an outside consultant, David C. Whitney of the Universal Education Corporation (UEC), who would provide expertise in developing program curricula. UEC had been a popular Office of Child Development contractor.

The Task Force worked through the late summer and fall preparing their final report, the "Comprehensive Early Childhood Development Program for Georgia." It was designed to provide eligible children and their families the opportunity to obtain comprehensive social, educational, health, and vocational services, to improve family living and to foster the maximum capacity for self-support and personal independence. Through a clever interfacing of federal programs, manipulation of geographic as well as individual provisions for eligibility, especially under Title IV-A, Social Security Act, and the use of a sliding scale payment option for non-

qualified middle-income clients, the Task Force proposed to launch a new Statewide Comprehensive Early Childhood Program. The matching federal dollars under Title IV-A would provide the Governor with resources to impact on what he perceived to be an unsatisfactory system for administration of services to the needy. This targeted early childhood focus--to help those most in need of such services--was consistent with both the philosophy and priorities of the Governor.

Reflections. We have sufficient data at this point to answer our first question: Why after so many years of resistance to ECE reform was the political system motivated to act? As the 1972 legislative session opened, it was clear that the possibility of a major infusion of federal dollars and the commitment of a liberal, activist Chief Executive were the primary rationales or factors that moved the Georgia political environment toward consideration of this reform.

The actions of the Governor on this policy issue were influenced by a unique set of factors. First, his interest in addressing the unmet needs of the depressed poor of the state seemed to have evolved from his prior experiences as a school board member during the Title I, ESEA and Head Start era, and as a legislative leader from a rural senatorial district. And secondly, his decision to adopt the ECE issue, or more specifically, the comprehensive ECD program, as his instrument of reform was directly attributable to pragmatic circumstances in which certain

federal resources, namely Title IV-A funding, OCD consultation, and UEC program expertise, became available only upon the initiation of this specific social policy. He acknowledged the federal dollar influence in testimony on behalf of the initiative: "ECD is 3-1 federally financed now, and may go to 10-1 before long ... The federal government will one day start an ECD program of its own, administered by Washington."¹⁵

III. Legislative Decision-Making Process: 1972-1975

The answer to our second and third questions, who was responsible for brokering the ECE reform through the state political system, and what is the status of the ECE reform, necessitates that we trace the initiative as it evolved through several transformations over four legislative sessions.

A. The Issue Is Defined, 1972

In his 1972 State of the State Address, Governor Carter issued a challenge to his legislative colleagues: (1) to provide services to the disadvantaged and needy first to help them break the poverty cycle, and (2) to establish more interagency cooperation in order to maximize resource allocation. The Fiscal 1973 Executive Budget* included an initial request

*It should be noted that due to the November election format and the January turnover in administrations, the Executive Budget presented in January 1971 reflected the priorities of the previous (outgoing) Governor and his administration. This FY73 budget which was sent to the legislature in January 1972 presented the first opportunity for the new Governor to include and construct his own priorities in state budgeting.

of \$1 million (supplementary FY72) and \$5,684,000 (FY73) in State General Funds appropriation which would be matched three to one with federal Title IV-A funds from the Department of Human Resources for implementing the ECD program outlined in the White Paper. It also included a rationale for the proposed program:

Georgia has at least 220,000 children under six living in families at or below poverty level. These children and their families are in urgent need of comprehensive educational, health, social and vocational services to help them break the poverty cycle so that they will not become lifelong burdens on the taxpayer. (Emphasis mine.)¹⁶

The administration proposed a two-step legislative strategy: first, they sought line-item approval of ECD in the House Appropriation bills for the initial year's funding; and then they proposed to return the following year--1973--with substantive legislation which would outline the details of the ECD program based on the first year's experience. This would provide the administration a free hand in developing the pilot program and in working out the proper agreements with federal HEW officials.

Legislative Reaction. The Governor's strategists overlooked two major problems in presenting their preschool program to the legislature. First, the proposal was not an appropriate document for legislative consumption. Its provisions for such highly controversial and value-laden services as "Family Covered-Dish Suppers" and "Emergency Hot Line" was threatening, in a real sense, to the unprepared Georgia legislators. The youthful staff had far outdistanced the political culture onto which their reform was to be grafted. Secondly, this ECD proposal assumed a vital commitment by legislative and state agency policy makers to two principles:

the priority of addressing services to the most needy--the first recipients would be some 57,000 disadvantaged families--and the viability of an interagency approach to problem solving--a special board of state department heads would be established to administer the program. The soil had not been properly tilled for legislative receptivity to either concept.

The ECD program struck at a number of very sensitive issues: state autonomy, the extent of legislative responsibility for social welfare, and societal (family) stability. A number of Georgia Senators and Lieutenant Governor Maddox charged that the state would be used in "a pilot program for the United States of America . . . Federal bureaucracy, using Governor Jimmy Carter as its agent, seems intent on circumventing President Nixon's veto of a massive governmental child-care program" (the Mondale-Brademas bill in December 1971).¹⁷ Some twentieth century firebrands found the content of the program offensive: baby-sitting . . . socialistic and lacking educational components. A number of legislators expressed an overt hostility toward the family and social welfare departments (reorganized as the Department of Human Resources) which translated into support for the SDE as the proper administrative agency. Other legislators were concerned that this ECD approach would critically weaken the family as society's basic unit. "They just don't have a right to come into my home and tell me what my children have to do," commented the head of the House Appropriations Committee during the hearings on the administration's proposal.¹⁸

Initial Appropriation Consideration: HB 1204 (1972). The House Appropriations Committee took strong issue with the eligibility criteria of the program. "You mean I would have to help pay for this program and my

kids couldn't go free like the children of poor people?" was a typical question addressed to the testifying department heads.¹⁹ Nonetheless, under the aegis of Speaker Smith, an ally of the Governor, a \$500,000 appropriation for beginning the ECD program was approved and forwarded to the Senate on February 2. As the action shifted to the Senate Appropriations Committee the confrontation shifted subtly with the emergence of a third force. Bobby Rowan, a non-Maddox Senator, very skillfully attacked the White Paper program and charged that the Administration Department of Family and Children Services⁷ had entered into a "secret" contract with a New York consulting firm, Universal Education Consultants, for research and construction of ECD programs without informing the legislature. Although these arrangements had been known to the Lieutenant Governor for some time, the senator had seized the momentum and he authored what appeared to the anti-ECD forces to be a crippling amendment to the Supplemental Appropriations Bill (HB 1204):

It is expressly provided that none of these funds shall be used in connection with a child care services program by any existing or subsequently organized day care center, unless otherwise hereafter approved by the General Assembly. (Emphasis mine.)²⁰

The major impact of the Rowan amendment was to force the administration to revise their strategy and to seek substantive legislation in this session.

Though the Governor said he was at a loss to "understand the motives" of Bobby Rowan, in the view of other legislative participants the senator's action was crucial in neutralizing a more severe amendment proposed by the Maddox forces that would have deleted the entire ECD program from this year's budget.²¹ That motion lost 5 to 19. On February 21, the Senate Appropriations Committee agreed to the \$500,000 appropriation

that had been approved by the House for the comprehensive social health and educational program for underprivileged preschool children. HB 1204 passed the Senate on February 22. And while the opponents would claim that they had effectively gutted the Governor's program with this historic action, the Georgia General Assembly had established a legislative precedent for state action in the preschool area. The Governor had gotten "his foot in the door," but the administration had to revise its strategy and immediately introduce substantive legislation that allowed for the full benefits of federal funds, i.e., by permitting state funds to match federal funds for child care/day care services.

Substantive Legislation: HB 2031 and SB 676. The SDE prepared a draft of the legislation and submitted it for SBE approval at a special meeting on February 23. The Governor, however, did not feel the full benefit of federal funds could be received by the state if the legislation passed as drafted by the SDE. Day care centers were not provided for in the SDE legislation. Upon the insistence of the Executive, the SBE approved the draft of the legislation with amendments, notably those under Section 4 (c):

Local school system boards of education, with the approval of the State Board of Education, may utilize State fund grants to match Federal funds to the extent allowed by Federal law or Federal regulations, provided, however, that such State funds may not be used to establish child day care centers, nor to support or purchase services from an existing day care center not administered by local school system Board of Education. (Emphasis mine.)²²

On February 24, ECD legislation was introduced as HB 2031. The Speaker assigned the House Bill to the "safe" Rules Committee--where it would be particularly amenable to his supportive posture--from which it

was reported with a "do pass" after only four days. In the interim, on February 28, a modified version of the House ECD legislation was introduced in the Senate as SB 676, sponsored by Senators Rowan, Starr and McDuffie. It was assigned to the Education Committee on February 29, and on the very next day a favorable committee report was agreed to by the Senate, 39-1. Since the administration's strength was in the House it was agreed that HE 2031 should be dropped; SB 676 would carry the Early Childhood Development Program.

The ECD program as recommended by the upper house was deemed unacceptable by a review of the lower house on March 7. A House Committee substitute to SB 676 which was offered with floor amendments addressed three basic areas of disagreement that reflected the concerns of the Governor. First, the House amendment re-established an interagency component which assured a viable state framework that would meet minimum federal guidelines for participation under Title IV-A and other federal programs, i.e., interagency administration. Secondly, it permitted administering agencies the flexibility to establish the priority agreement for implementing the ECD services as they determined needs. This facilitated the provision of services to 3- to 5-year-old handicapped children prior to educational programs for children. And finally, the administration, through its friends in the House, attempted to establish a justification for using state dollars to match with federal dollars—even if the state dollars could not be used per se for certain specific services--by amending certain enabling phrases that sidestepped many of the prohibitions of the legislation as originally drafted by the SDE. The House substitute to SB 676 was passed on

March 8 by the requisite constitutional majority and returned to the Senate. That same day, upon the motion of Senator Rowan, the Senate agreed to House Substitute to SB 676 by a vote of 31 to 5, and sent the legislation to the Governor's desk.

Concluding Skirmishes: HB 1203 (1972). The opposition leadership immediately realized the potential conflict in the legislative intent between the prohibition that specifically restricted the use of state funds for child care/day care that the Senate had earlier amended into HB 1204 (the Supplemental Appropriation Act for FY72) and the more recent authorization in SB 676 which appeared to provide the administration more latitude with regard to the use of state funds for child care/day care. The Senate then proceeded to amend HB 1203, the Appropriations Act for FY73, with a legislative prohibition identical to that inserted previously in HB 1204. (See page 15.) However, since the Governor was also aware of the potential advantage of the language in SB 676, he first signed HB 1203 into law on March 23 as ACT #885. SB 676 became law on March 31 as ACT #1234 of the 1972 session. This established "the ambivalent language in SB 676" as the controlling legal standard. The drama now moved to the jurisdiction of the state judiciary, or Attorney General's office for an official clarification of the law.

B. Bureaucratic Haggling Over Early Childhood Development Issue

Role of State Board of Education. Upon the passage of SB 676 on March 8 new responsibilities were thrust upon an unprepared SEA: to adopt a State Plan for a comprehensive ECD program; to make grants; to establish criteria and standards for approval of local school system programs, and to maintain close liaison with other state and federal agencies.²³ From early March through the summer of 1972 the normally tranquil waters

of the State Board became embroiled in a number of crucial policy controversies over the educational orientation, implementation and administration of ECD programs.

Board members very early expressed concern that the philosophy of the "White Paper" and the proposed legislation would take SBE beyond their jurisdiction—beyond an education orientation. In their March 16 approval of the state plan for Early Childhood Education the State Board clearly stated their intention "to follow explicitly the stipulations of the ECD Act approved by the 1972 session of the General Assembly, as well as the intent expressed by members of the General Assembly" (emphasis mine).²⁴ That is, state monies could not be utilized to draw federal funds for day care and special services, but they did agree that other [federal and local] funds could be matched. It was clear that the politics of ECD would have severe consequences for the traditional modus operandi of the State Education Agency and would result in a direct confrontation with Governor Carter's administration.

The second policy controversy arose over the selection of the first sites for implementing the ECD program. The SBE withheld approval of the distribution of the \$1.9 million in state funds to 15 pilot local education agencies (LEAs) of the 46 applicants who had been selected according to the previously approved criteria, i.e., those considered more nearly ready to develop programs in this area. It ordered a presentation of alternative recommendations for funding ECE programs. During the May 18 meeting, the board formally rejected the "targeted strategy," i.e., selection of pilot sites, and in its place approved an alternative recommendation based on parity disbursement of state funds. The SBE was unwilling to play favorites and the SDE was not permitted to begin the immediate operation of a selective program.

The third basic conflict inherent in SB 676 concerned the interpretation of the use of state funds either directly or indirectly

to provide social services or day care services. The Governor was of the opinion, following a loose interpretation by the Attorney General, that "SDE can carry out almost any reasonable program. It has almost unlimited authority to operate an effective program."²⁵ The SBE, however, held to a more strict constructionist view as noted earlier, "to follow explicitly the stipulations . . . as well as the intent . . . of the General Assembly." Thus the Superintendent was caught in the unenviable position either of responding to the Governor's call for leadership or of supporting the integrity of his educational constituencies.

Organizational (Bureaucratic) Confrontation. Through the long summer's negotiations the SDE held to its commitment to comply with the mandate of SB 676 and with the policies of SBE which strictly prohibited the use of state funds for the operation of day care centers and/or related social services. The Administration became more and more concerned over the SDE's narrow, debilitating view of providing early education opportunities to Georgia's children. The loss of almost unlimited Title IV-A funding that could have been drawn down by using state child development funds as matching sources was upsetting to the Governor. While in late August, he did exhort Dr. Nix to "join in a mutually enthusiastic effort in early education," the lines of combat had been too well drawn for such an eleventh-hour supplication.²⁶ The constitutional prerogatives of the CSSO shone through in a vivid but unfortunate manner—for the concept of

ECD. And although the Attorney General did finally declare that "state funds may be used to match federal funds as authorized by federal law and regulations," forces and factors at the federal level conspired to, as many state officials cried, "kill the goose that laid the golden egg."²⁷ In the early fall of 1972, the federal government capped the Title IV-A fund, and the Governor's administration was never able to implement their grand strategy.*

C. The Kindergarten Issue Comes of Age, 1973

Initial Policy Positions. Georgia policy makers showed early signs of activity as the 1973 legislative session approached. Governor Carter reaffirmed his commitment to those children who had been deprived the opportunity to learn. In his State of the State message, he proposed to provide for the development of an Early Childhood Education program prior to establishing a statewide kindergarten for all 5-year-olds. The Executive budget contained a fiscal 1974 request of \$6,720,000 to provide for a one-half day Early Childhood Education Program for all 5-year-old handicapped children (based on 9,680 students at \$422) and testing for 3- to 5-year-old handicapped children. The legislature responded to the attention being directed to the ECE issue by creating a House Education Interim Committee on Kindergarten chaired by Mr. Bobby Wheeler, a well-respected rural legislator from Alma, Georgia. And while the State Board of Education ranked statewide education programs for all 5-year-olds as its eighth priority, the SDE did request \$8,145,000 for Early Childhood Education—Kindergarten services.²⁹ Their position paper, "Why We Need Kindergarten," summarized the prevailing thoughts on this issue, as illustrated in the following excerpts from a list of 25 reasons:

3. A young child is already more than 50 percent intellectually formed by age four. Kindergarten capitalizes on the early intellectual development.

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*As a result of the Presidential vetoes, programs under the Labor-HEW Appropriations Bills were to be funded under the authority of a continuing appropriations resolution (HJ Res. 1331). It did not permit funding for any program which had not been funded in fiscal 1972.²⁸

8. The preschool years are the most decisive and formative period in a child's life. Kindergarten provides the best learning experiences for this period.
15. All children need a period of exploratory kindergarten experiences to increase readiness for first grade.
18. Children who have had kindergarten are usually superior in achievement in all curriculum areas.³⁰

In addition, the three-page document reported that the Atlanta and Muskogee systems with kindergarten had non-promotion rates for first grade of 4.36% and 8.4% respectively, as compared to the state average of 11.87% for 1971-72. This extra year of schooling cost the State of Georgia \$6.2 million (at \$663 per pupil). It closed with a strong appeal, "Kindergarten Is the Beginning of the End of a Drop-Out."

Legislative Proposals. Two major proposals were introduced in 1973. The CSSO and his staff drafted legislation that provided for an education program for all 5-year-olds, House Bill 421 (1973), under Representative Wheeler's sponsorship. The administration's ECE proposal was incorporated in HB 431, also introduced by Representative Wheeler, which was the Governor's proposal for changes in the Georgia Minimum Foundation Program for Education (MFPE).

The Governor's ECE program entailed a well-defined timetable as outlined in Section 6 of HB 431:

- (1) Beginning July 1, 1973, and for each year thereafter, each local unit of administration shall make available one-half day ECE program for all mentally, physically and emotionally handicapped children who are age 5;
- (2) ...July 1, 1974...for all children who are both age 5 and diagnosed to have an educational

handicap or deficiency in either language or perceptual development or both;

- (3) ...July 1, 1975...for all mentally, physically, and emotionally handicapped children who are ages 3 and 4; and
- (4) ...July 1, 1976...for all children who are both ages 3 or 4 and diagnosed to have an educational handicap or deficiency in either language or perceptual development or both;
- (5) ...July 1, 1977...at least a one-half³¹ day ECE program for all children who are age 5.

The Governor's staff approached the preschool education issue by providing for all exceptional children, ages 3 to 5 before other non-handicapped children. They reasoned that "this was felt to be the area of greatest need, and consequently [it] would have the greatest impact in preventing failures in first grade."³² Moreover, the administration had feared that the 3- and 4-year-olds would be left out when it came time to fund their programs unless 5-year-olds were in line behind them. The SDE, on the other hand, recommended that services be provided in accord with HB 421 to 15% of the 5-year-old children, with priority given to, but not limited to, the handicapped. All 5-year-olds would be provided for before programs for 3- and 4-year-olds were started.

Legislative Consideration. In late January, the Interim Subcommittee on Kindergarten prepared its report to the full Education Committee with two alternatives for consideration. The first proposed to amend HB 431 with respect to the Governor's priorities by placing the non-handicapped 5-year-olds ahead of the handicapped 3- and 4-year-olds. The Committee's rationale, commented Representative Wheeler, was that it thought the reverse would be "more appetizing on the floor" of the House.³³

The second alternative necessitated a Committee substitute to HB 421 that accomplished the same provisions of HB 431. Shortly after the General Assembly reconvened in mid-February the full House Education Committee met to consider the Administration's MFPE bill. By a vote of 13-6, it was decided that HB 431 should be assigned to a legislative study committee and be reported to the 1974 session. With this decision there remained only one vehicle for the proponents of ECE: the amended HB 421, the State Department of Education's bill. Within the week, on February 20, the first kindergarten bill to receive consideration by a full legislative committee passed the House Education Committee with one dissenting vote (18-1). As amended, the legislation provided for a five-year timetable for implementing a voluntary state-supported kindergarten program aimed first at helping handicapped 5-year-olds, then for "normal" children who are five years of age. In the final two stages—1976-77 and 1977-78—attention would then be directed toward programs for handicapped 3- and 4-year-olds. While educators were ecstatic—"This is a real milestone," declared Superintendent Nix³⁴ the sponsor, Representative Wheeler, cautioned that the cost of kindergarten would produce major opposition in the General Assembly, especially the House and Senate Appropriations Committee.

Major legislative resistance did surface in the person of Sloppy (James) Floyd, Chairman of the House Appropriation Committee, who favored improving existing programs first, before encumbering new responsibilities. Mr. Floyd used his position effectively to divide the education interests by forcing them to negotiate tough choices. The CSSO reluctantly opted for reducing the pupil-teacher ratio rather than for the proposed kindergarten program in a heated Appropriation Committee hearing; the GAE

reaffirmed their support for a 5½ percent increase in teacher salary as the top priority for 1973. Thus, the sponsor was forced to concede, "When it came down to hard head-cracking, the interest groups were not there."³⁵ The groundswell for kindergarten reform dramatically eroded. In early March the House Appropriation Committee reported a substitute version of HB 141 (the budget bill) that severely cut the Governor's Education Budget for FY74, especially the ECE programs. In view of this fiscal environment, Representative Robert Farrar, Chairman of the House Education Committee wisely elected not to send HB 421 to an almost certain death on the floor. Instead, after consultation with the administration and House leadership, Mr. Farrar introduced a House Resolution which proposed to create a statewide Blue Ribbon Committee to study Georgia's total educational needs and to explore new means of improving education in the state, with particular reference to the antiquated Minimum Foundation Program. Representative Farrar's strategy was to create a politically viable mechanism for addressing education's unmet needs--problems left unresolved by the legislative demise of HB 431 and now HB 421.

Political Confrontation and Compromise. The Governor laid blame for the House Committee's drastic action in cutting the FY74 budget on the lack of priority support from the Superintendent and his department. "Where has the money gone? It [\$18 million that the Governor proposed for preschool programs] has been diverted to salary and retirement benefits for teachers, administrators and other employees of your department," Carter charged.³⁶ While proponents viewed the situation very pessimistically--"I don't think there's any way we can get it back," complained Representative Wheeler³⁷ the Governor, nonetheless, mobilized to turn the tide.

External pressure began to build on the legislature as the appropriation bill underwent Senate Committee review. Civic groups, sensing the critical moment at hand, joined the cause. In a letter to the Editor of the Atlanta Constitution, the President of the League of Women Voters said,

With revenue up, everyone has gotten a piece of the pie. Why not a small taste for the children of Georgia? We urge the General Assembly to restore kindergartens in the budget, not only to help our children but to effect future savings in the higher grades. Let's not do in the Georgia children.

Within a week of the initial budget-cutting action by the House the leadership of the Senate Appropriations Committee announced that it had thrown its weight behind the kindergarten program that was cut from the Governor's budget. The Committee adopted a line-item amendment which appropriated \$6,610,252.97 for "Pre-School Training for the Handicapped,"* but it ruled that all kindergarten program funds restored would have to go to middle income physically and emotionally disturbed children. The Governor's leadership once more stemmed the tide of battle. The lion's share (\$4.717 million) of the \$6.610 million appropriation for preschool was targeted toward providing new educational programs for less than 6% of the eligible 5-year-old population—5,015 mentally, physically and emotionally handicapped children who had never before been served by public education.**

The policy action was now shifting to another arena, to the newly appointed Blue Ribbon commission--Adequate Program for Education in Georgia (APEG). The final chapter was yet to be written.

*HB 141, p. 13. [It is interesting to note that the House deletion of funds for "Early Childhood Services" was retained intact (-0-). (See HB 141, p. 12.)]

**Educational programs for 5-year-olds included: (a) Public School Programs: Handicapped State Programs for 5-year-olds (5,015), State Kindergarten SB-676 (1,646), ESEA Title I Kindergarten (7,869), and Local System Kindergarten (7,802); and (b) Other Programs: Head Start Kindergarten (5,450) and Private Kindergarten (18,124).

D. The Building of a Coalition

While the legislature had shown little interest initially in addressing the ECE policy issue, the continued success of the Executive prerogatives--the Governor's priority timetable--posed strong political as well as deep philosophical problems. It was time that the legislative leadership found an acceptable resolution to the ECE issue and to other education problems resulting from the antiquated 1964 school finance formula. Implicit within the leadership's tactic of forming the Blue Ribbon Committee was the opportunity to address the ECE question as part of a larger package--"to get a foot in the door--a wedge."³⁹

The Call to Reform. During the last few hectic days of the 1973 session, gubernatorial influence on the committee was greatly expanded, by Senate amendment, from the original three appointees to nine of the Committee's 27 members. Governor Carter would utilize this opportunity for two purposes: first, he expanded the composition of the Study Committee by selecting individuals who brought a diverse and non-educational orientation; and secondly, in an unprecedented act, the Governor demonstrated his interest in this process by appointing himself to the Task Force.

While the committee now represented a stronger political vehicle for launching a successful revision of the MFPE program, the General Assembly's strategy of using the APEG Task Force as a mechanism for initiating a series of legislatively acceptable educational reforms had been dealt a damaging blow. There now arose a definite concern whether the conflicting agendas of the participants could be compromised and a

middle or common understanding reached.

The Committee Process. At the first organizational meeting on July 19 legislative leadership was acknowledged in the nominations by the Governor of Messrs. Farrar and Starr as Co-Chairmen. At the same time Governor Carter accepted an appointment as chairman of the Instructional Program Subcommittee* which would be responsible for designing the framework of Georgia educational responsibility and for recommending ways to meet these needs through the educational program. Over the summer a research report on Early Childhood Education was presented to the subcommittee. It was heavily influenced by a developmental/environmental rationale concerning the development of the mature intelligence of children by age 4.⁴⁰ There was a thorough assessment of preschool population needs by age and disabilities. It also recommended a program that focused on developmental skills for non-impaired children since it would "increase their readiness for first grade."⁴¹

The central role played by the Governor in influencing both the formulation and determination of the subcommittee's recommendations on preschool programs is evidenced in the report's discussion of the available policy alternatives:

One approach (for adding the various components of the pre-school program) would be: handicapped, age 5; impaired, age 5; non-handicapped and non-impaired, age 5; handicapped, ages 3 and 4; and finally, impaired, ages 3 and 4. Another approach would be to shift the non-handicapped and non-impaired, age 5 to be initiated last. The former approach would be most

*Two other subcommittees were appointed: The Supportive Services and the Financial Foundation.

politically acceptable at this time. If the MFPE Study Committee really does endorse characteristic 6—"A good foundation program should assure that if priorities must be established, the target population with the greatest need should have their needs met first"—(adopted at the first committee meeting), all evidence concerning relative need indicates that the latter approach to the matter of component priority should be adopted. (Emphasis mine.)⁴²

In its final document, "Adequate Program for Education in Georgia" (APEG), which covered 147 recommendations in 37 policy areas, the full APEG Committee, however, indicated a reluctance to ratify the priority ordering as established by the Instructional Program Subcommittee report. It opted instead for a statewide kindergarten for all 5-year-old children in Georgia (Recommendation 27), but qualified its intention by including the subcommittee's suggestions that this program could be most efficiently implemented in steps. It is interesting that the "Pre-School Education" section of the final Summary version of the APEG document opened, not with the references to developmental research findings or the statistics on pre-school needs in Georgia which had been the central rationale of the earlier cited subcommittee report, but rather with reference to the lag between Georgia's fourth graders' and eighth graders' performance and the national average in reading and mathematics as well as a reference to the relationship between high school failures, dropout rates and primary grade education.⁴³ The ECE issue was framed to reflect a definite preschool priority—the need for school programs to prepare children (5-year-olds) for first grade, and not the comprehensive developmental alternatives.

Parallel Policy Activity. Independent of the APEG Committee educational interests were concerning themselves with the preschool issue. At the annual Governor's Conference on Education held in early May, a state-funded program of kindergarten education emerged as the "strongest single recommendation" from the 750 conference participants.⁴⁴ Similarly, in September the SBE established kindergarten as its first priority for the department's FY75 budget, with ECE ranked sixth. A Special State Advisory Committee on ECE was formed in the late fall under the leadership of the SDE and chairmanship of Senator McDuffie, and it strongly urged as its top priority the implementation of a statewide kindergarten program that shall be available to all 5-year-olds and not restricted to children from economically deprived families. The Senator raised a persistent theme, "I am bitterly opposed to programs that continue to penalize our children just because the parents have the initiative to get out and work and make a living and support themselves."⁴⁵

E. The Symbolic Victory, 1974

The 1974 Legislature. As the session approached the SBE and SDE came out strongly for a universal kindergarten program. Using the rationale that "early childhood education can raise I.Q.'s, and that kindergarten-trained children are better prepared for the first grade than non-kindergarten children," the department outlined a five-year phase-in program with an estimated \$72 million price tag.⁴⁶ For the first year \$9.899 million was requested to provide preschool programs for: (1) 6,271 physically, mentally and emotionally handicapped 5-year-olds; (2) an additional 2,544 5-year-olds with specific learning disabilities; and (3) 15% of the remainder of all 5-year-olds at a cost of \$7.510 million. The Administration, on the other hand, avoided the issue of an educational program for all resident children five years of age. The Executive Budget for FY75 recommended

only \$4.433 million for preschool training to serve the total eligible handicapped 5-year-old population--8,411 children--and \$1.079 million for preschool pupil transportation. This was an overall decrease of \$1.097 million from the previous year's ECE budget.

In view of the sudden energy crisis of 1974, the Appropriations Committees requested that all state agencies re-order their FY75 budget priorities. In early January the State Board met and the major casualty was the readjustment of kindergarten to a fourth priority status, while ECE was elevated as the Board's top priority.

The APEG Legislation. While it was obvious that the low revenue situation precluded program implementation in FY75, the proponents of kindergarten sought at least a substantive authorization for kindergarten from the General Assembly. The focus of attention turned to the Adequate Program for Education (APEG) legislation introduced simultaneously in early February as HB 1913 and SB 672. The sponsors, the Education Chairmen of each House, dealt in a practical manner with preschool education. The APEG bill, from the perspective of its authors, represented "the best possible compromise which possibly could pass the legislature."⁴⁷ It placed an emphasis on starting a kindergarten program for "normal" 5-year-olds rather than concentrating on areas of need in ECE, such as programs for handicapped and retarded 3- and 4-year-olds. Governor Carter, in a February 13 memorandum to the sponsors, termed the bill "a step backwards" for education in Georgia.⁴⁸ Among seven separate objections to the final version of SB 676 the Governor challenged the preschool provisions of the bill.

While the Chief Executive was doubtful that the legislation could be changed through floor amendments, within the next few days, a compromise was reached between the Governor, Senator Starr, Chairman of the Senate Education Committee, and Dr. Nix, that satisfied the administration's concerns. This measure established eligibility not only for all 5-year-olds, but also for 3- and 4-year-old children who are either physically, mentally or emotionally handicapped or perceptually or linguistically deficient.

A final major obstacle to the passage of SB 672 was removed by a subsequent House Floor Amendment. The effective date was moved back to July 1, 1975, establishing September, 1975 as the earliest date when funding of the new act could take place. This was not an unusual routine for the legislature, noted Senator Starr, "the last major revision of State Education law did not go into effect immediately either," e.g., some sections of 1964 MFPE Act were not funded until 1973.⁴⁹ It was not uncommon for the Georgia Assembly to legislate the framework for educational reform, but to leave the appropriation decision for later resolution. Thus, as a longtime participant in the legislative policy-making process noted, "SB 672 has a long road ahead of it--an excellent beginning but much work is needed."⁵⁰

F. Epilogue, 1975*

New Administration. The successful gubernatorial candidate, George Busbee, who ousted Lester Maddox in the September Democratic primary,

*Subsequent to our field research of May-June, 1974, it has come to our attention that the 1975 session of the Georgia Legislature had enacted a major kindergarten reform. This section of the Georgia Early Childhood Education case study represents the author's analysis of the outcome of the kindergarten issue during the 1975 legislative session based upon secondary source materials and limited correspondence with Georgia public officials.

campaigned in the fall election as much on a platform of improved education as anything else. A major issue in his campaign to upgrade the quality of education Georgians receive was the fight for a statewide kindergarten for all 5-year-olds.

In January 1975, he became the first governor to include a statewide kindergarten program in his budget recommendations to the legislature.* The Governor's initial \$2 billion budget to the House and Senate appropriations committees had called for both an \$18.2 million appropriation for kindergarten and a \$35 million tax relief package, plus a \$75 million cost of living pay raises for teachers and other state employees. The Administration requested an \$16.2 million appropriation to expand the current \$5 million pilot program that was financing special kindergartens for physically, mentally, and emotionally handicapped 5-year-olds in the state, and to initiate a phased-in statewide kindergarten program for all 5-year-olds.

Under the Governor's proposal, approximately 60% (or 45,740 of 76,828) of all 5-year-olds would be served by state, local and federal funds in the very first year. This included: (1) 10,257 children now attending kindergarten on federal funds; (2) 5,870 students on local funds in Atlanta and Muscogee County (Columbus); (3) 8,150 handicapped youngsters (included in the Governor's request was an allowance of \$30 per child for testing to determine the extent of a child's needs); and (4) 21,462 (or 31%) of the non-handicapped 5-year-old population solely under state fund support.

*Because the legislature had established an authorization for statewide kindergarten in SB 676 (1974), the new Governor had only to secure a line-item appropriation in HB 170 (1975), the FY76 budget bill, to implement a statewide kindergarten program.

The total cost for the statewide kindergarten as projected by the administration, would be \$39.8 million in state, local and federal funds.⁵¹

Legislative Response. The new Governor faced a major uphill battle in getting his "number one priority" and the keystone of his education package, the kindergarten program, passed over the opposition of legislators, especially the lower house leadership, who viewed the expansion of kindergarten as a low priority item in 1975. Many of the same rationales or positions again surfaced that had impeded the kindergarten issue in previous sessions. Some legislators, including the House Speaker, Tom Murphy, argued strongly on the eve of the session that education would be better served by putting the additional \$13 million scheduled for kindergarten into lowering pupil-teacher ratios in other grades and teacher raises.⁵² The objection to the capital outlay expenditures for classrooms was also raised as a potential limiting factor.

The major confrontation over priorities surfaced dramatically in early February. It became clear to state policy makers that the administration's estimate of an 11.2% growth in state revenue had been too optimistic. The energy crisis and the adverse impact of federal fiscal policies forced the Governor to make "substantial cuts" in his budget (the supplemental FY75 and the main fiscal 1976 budget) because of lower revenue projections. The emerging posture of the lower house was characterized by House Speaker Pro Dem A. L. Burruss: "We all want kindergartens, but with the economy sliding we wonder if we really can afford to do it."⁵³

The Governor's belt-tightening response to the legislature was direct, fiscally responsible, but almost catastrophic in impact. The Chief Executive

decided not to pursue the proposed \$35 million tax relief package, while continuing to press for statewide kindergartens. Additionally, he cut back by 26% (or \$20 million) on the proposed pay raise for teachers and other state employees.

Initially, the legislature reacted with stiff opposition since tax relief was a high priority and popular component. "We've got to have tax relief and we'll get it," predicted a rural legislator.⁵⁴ "That money belongs to the people," commented one disturbed legislator, referring to the fact that \$50 million that had been allocated but never used for tax relief last year was still in the state treasury.⁵⁵ Furthermore, a new kindergarten program represented a continuing state expenditure from year to year, rather than the proposed one-time property tax relief package.

Policy Positions of Education Interests. As the legislative session approached, State Superintendent, Jack Nix, displayed a new cooperative posture that had not characterized his relationship with the outgoing Governor Carter, and he vowed to "support him (Governor Busbee) as strong as I know how."⁵⁶ As top spokesman for the education establishment in Georgia, the CSSO was in a position to exert significant influence on the legislative action, especially, the Administration's \$13 million schema to launch a kindergarten system in Georgia. In an appearance before the January 9th joint meeting of the House-Senate Appropriation Committee, the State Superintendent presented documentation from the SDE that validated the Governor's position that pupil-teacher ratios were in fact, automatically dropping across the state due to declining enrollment and that declining classroom attendance had already furnished enough space to operate a

kindergarten program without new construction. The Superintendent also testified in behalf of the teacher salary and cost of living increases.

However, less than two weeks into the new session, signs of major stress were evident in the new but fragile relationship between the State Superintendent and the new Governor. The department released to the legislature cost figures for the kindergarten program that were almost twice what Governor Busbee's staff had computed--a \$60 million price tag by the SDE estimate. Since the projecting inflated cost estimates all but assured that the legislature would vote the program down, the Administration interpreted this action as a clear signal that while the State Superintendent had publicly aligned himself with the Governor, he really favored or sought to line up with the position advocated by the House Speaker, Tom Murphy. The House leadership proposed that the \$13 million would be better utilized to raise teacher's salaries and to lower the pupil-teacher ratio in other grades.

The key to the disparity between the cost estimates of the Administration and the State Department of Education was whether the proposed kindergartens would operate on a half-day (double) as proposed by the Governor or on a whole day (single) session as projected by the state department. This represented a sudden change of stance by the SDE. A department spokesman explained:

There is not "hard data" (extensive research) to support the decision. But our experience is that it would be "inhumane" to ask a teacher to work from 7:30 to 4:30 (to teach two sessions daily).⁵⁷

However, the SDE official did acknowledge that the Atlanta school system--which had operated its own locally supported statewide kindergarten since 1923--has its teachers conduct two three-hour sessions daily.

Superintendent Nix was adamant in his stand against double sessions: "If we're going to start a kindergarten program, I hope we begin at the beginning with a quality program."⁵⁸ The Department was not willing to pare its proposal down to the least costly figure in order to serve more students right now, as the Governor proposed, and then to work toward upgrading the kindergarten program.

The revised stand of the State Superintendent did reflect the concerns raised by members of local school boards who complained that the partial funding package envisioned by the Governor--his \$18.2 million would cover only 23% of the state's 5-year-olds--would result in an additional burden on local school boards, especially costs for capital expansion. Another factor in the local board's reluctance to support the Governor's plan was that the local school boards would be faced with the responsibility to designate the 23% who would participate the first year.

Kindergarten expansion was the last of the Georgia Association of Educator's five legislative priorities. Their stand was in consonance with the House leadership proposal, that is, at least their top two priorities. They sought increasing teachers' salaries by 11.2%, reduction of pupil-teacher ratio, improvement of retirement benefits, and statewide health insurance for teachers.⁵⁹

Political Negotiations. In this first crucial test of his new gubernatorial's power in the 1975 General Assembly the new Chief Executive benefited from several unexpected turn of events. The sudden death of House Appropriation Chairman, Representative James "Sloppy" Floyd, just prior to the new session, removed an avowed opponent of the kindergarten

program. This also served to weaken the traditional advantages that the established legislative leadership had in challenging the inexperienced Governor Busbee during his initial legislative session over conflicting budgetary priorities, such as the kindergarten issue. Secondly, since the newly elected Lt. Governor, Zell Miller, who assumed the Presidency of the Senate, was on record as heartily supporting the Governor's program, opposition in the Senate was not nearly as vociferous as in the House. Thirdly, the phenomenon of declining enrollment in public elementary/secondary schools allowed both for the automatic dropping of the pupil-teacher ratio, and the availability of classroom space to operate a kindergarten program without new construction.

And finally, the overwhelmingly strong editorial endorsements of Georgian newspapers, such as the Atlanta Constitution and the Atlanta Journal, helped to coalesce public support for the Governor's initiative and to call the public's attention to the issue:

The most important single legislative battle in the Georgia General Assembly this year is shaping up over the proposed statewide kindergarten program.⁶⁰

Governor George Busbee has shown courage in sticking by his recommendation that Georgia make a beginning on a statewide kindergarten program.⁶¹

The newspaper arguments reflected a mixture of rationales--some were research-based, while others were more intuitive. The high failure rate (8,300 children or 8.4%) which was twice the rate of the two systems that offered public kindergartens, and the expense of educating pupils who failed first grade (cost to the taxpayers of \$6.7 million) were the most compelling practical arguments raised. One editorial did approach the issue from a philosophic perspective that stressed the general belief

that since a better educated society is a more literate, functioning, and economically productive society, the state ought not permit the continuation of a system where only the wealthy can enjoy the advantages of kindergarten. It further notes that because there was a lack of preparedness for schooling among a great number of Georgia youngsters, "first grade in Georgia is equivalent to kindergarten elsewhere, which roughly penalizes our students one year."⁶²

The administration's counter-offensive against the reluctant legislative leadership was directed at clarifying the issues at stake and spelling out the consequences of the legislature's impending action. In a special plea to the legislature, the Governor wrote:

The unfortunate and misleading impression has been created that the General Assembly is confronted with the task of choosing between kindergarten and property tax relief for our citizens . . .

(They) are not competitive in any way-- by price tag or function . . .

In the event \$50 million is found by redirecting funds earmarked for other state programs, why not do your children or grandchildren the last favor of spending a mere \$10 million on their future?⁶³

He further intimated that "we stand to lose not only kindergarten but some APEG (Adequate Program for Education in Georgia) advances as well, for the sake of temporary tax relief."⁶⁴

But the major unanswered question remained, that is, how much was the Governor willing to invest in pushing for kindergarten passage. Two factors need to be weighed in this context. First, the Georgia Chief Executive knows very well that because he cannot succeed himself, his power as governor began dissipating the very day he took office. Thus, if Governor

Busbee's pledge of an improved educational system were to be actualized in his four years, he must make his push and win the kindergarten program within the first two years as Governor. And secondly, the outcome of the kindergarten issue will go a long way toward determining the mood of the next four years in office.⁶⁵

Kindergarten Appropriation, 1975. The administration's floor leader correctly assessed the Governor's posture as the House Appropriation Committee prepared to vote on the kindergarten program: "I don't think he (Governor) is going to give up on it. I don't think he's weakened in (any) sense of the word."⁶⁶ The Governor did indeed go to battle over the kindergarten issue. Former Governor Carl Sanders, under whose administration the fight for a statewide kindergarten for all 5-year-olds had begun in the mid-1960's, characterized the Governor's role in the ensuing legislative confrontation as "definitely the leadership catalyst that got the kindergarten program."⁶⁷

The resultant appropriation package illustrated the ultimate conciliatory attitude of the political participants in the closing days of the session, and their willingness to find common ground for resolving their policy priorities. HB 170, the fiscal 1976 budget, included the following services:⁶⁸

- First ever funding of a statewide kindergarten system for 5-year-olds. (The legislature pared the Governor's \$10.7 million request to \$8 million. This will cover 22 to 23% non-handicapped 5-year-olds. The phase-in will cover 50% next year, if the economy allows).

Mandates that those children tested to be deficient in learning skills be served first by kindergarten.

Kindergarten will last a half day, with one teacher and one aide for each 20-student session.

- \$7 million for special pilot kindergarten programs for all physically, mentally and emotionally handicapped 5-year-olds.
- Reduction of pupil-teacher ratio in grades four through seven for 1 to 28 to 1 to 25.
- 7% pay raise for teachers.
- Funding of virtually every major portion of the new comprehensive Adequate Program for Education in Georgia (APEG) bill which goes into effect on July 1, 1975. (The money for art, music, and physical education teachers at the elementary school level was traded off to help pay for kindergarten program instead.)
- SDE's total FY76 budget increased by \$100 million more than the current budget.
- The state's teachers were brought under the state health insurance program.

Thus, as a result of the regular 1975 legislative session, a state-wide kindergarten program for all children would be initiated in the 1975-1976 school year on a phase-in formula.

Special Session Roll-back. Due to the over-worsening economic situation, the legislature was called back into a special session in May to reconsider the appropriations act for FY1976. Faced with the reality that the state revenue estimates were continuing to drop, the legislature drastically cut the state budget by \$125 million. The Governor's regular session education package incurred a heavy proportion of this roll-back in state finances. The \$8 million appropriation for a statewide kindergarten system for non-handicapped 5-year-olds and the 7% pay raise for teachers were removed in toto. The SDE's FY76 budget was cut by \$15 million to \$85 million. Only the appropriations for special kindergartens for handicapped 5-year-olds (which was reduced slightly to \$6 million), and funding for the reduction in the pupil-teacher ratio in grades four through seven survived in HB 1EX, the revised special session budget act for FY1976.

Reflections. In addressing our second question, who was responsible for brokering the ECE reform through the legislative process, Governor Carter stands out as the major political actor in determining over the first three legislative sessions the definition of the ECE policy issue as targeted to specifically defined, needy populations, i.e., special pilot kindergartens for the physically, mentally, and emotionally handicapped 5-year-olds in Georgia. While the leadership of the education interests, notably, the State Superintendent, were generally sympathetic to the Governor's good intentions, their political resources were focused on more pragmatic, short-term goals. Teacher salary raises and lowering the teacher-pupil ratio took priority over the expansion of a statewide kindergarten program. In the legislature, there were a number of progressive individuals whose collective efforts over several legislative sessions had resulted in setting the stage for a major discussion of ECE. However, it was essential to their interest--political survival, especially in an election year--that the new legislation address the sensitive issue of kindergarten for all children. Similarly, the active leadership of newly elected Governor Busbee was undoubtedly the crucial ingredient in forcing the reluctant legislature to include the original \$8 million line-item appropriation in HB 170 (1975) for initiating the statewide kindergarten program for all 5-year-olds. The demise of this appropriation in the special session was a product of forces external to the control of any political decision-maker--the specter of continuing fiscal problems confronting the state.

Concerning the third question, what is the status of ECE reform in Georgia, the Carter administration had achieved two important victories in the 1974 legislative session in the ECE policy arena: first, the legislature agreed to include 3- and 4-year-old handicapped children as part of the state's ECE program; and secondly, they appropriated \$4.43 million plus

\$1.1 million for transportation for full state funding of an educational program for all handicapped 5-year-olds. The education interest had to settle for legislative authorization for an educational program for all 5-year-olds, without any commitment of state funds. Thus, through 1974, kindergarten reform remained a symbolic and unfulfilled achievement in Georgia.

And while the proponents of statewide kindergartens, most notably Governor Busbee, had gained a major victory with the \$8 million appropriation in the regular session of the 1975 legislature, a knowledgeable state official candidly summed up the status of the statewide ECE program as "a dead issue for at least 2-3 more years."⁶⁹ Both the uncertain economic situation and the well-recognized declining power base of the lame duck Georgia Chief Executive forecast the demise of statewide kindergarten as a major state policy issue in the near future.

SUMMARY OF RATIONALES

The initiative for Early Childhood Education in Georgia evolved into a major policy issue through four increasingly successful legislative sessions. Finally, in 1975 a statewide kindergarten program for all 5-year-olds, authorized in 1974, was funded according to a phase-in schedule beginning in the 1975-76 school year. But the specter of continuing fiscal problems hung over the 1975 legislature, and in a special session the General Assembly slashed education funds and completely eliminated the new kindergarten money.

The emergence of ECE as a major state policy issue was due initially to the active leadership of Governor James Carter who had launched a movement for ECD programs geared to handicapped pupils, and subsequently to the newly elected Governor George Busbee, who enthusiastically supported appropriations for kindergartens for all 5-year-olds in the 1975 legislative session.

The Issue is Defined. The stage was first set for controversy in the 1972 legislature. Under the heavy federal stimulation, e.g., Title IV-A incentives and the proposed HB 1 (The Mills bill), the Governor took the initiative both in defining the ECE issue and in establishing a priority implementation of ECD services to the needy. This forced a reluctant legislature to react to the ECD policy issue. Through the ensuing four legislative sessions and two task forces, the legislature and major educational interests struggled to repeal the developmental and priority-based-on-need emphasis of the initial legislation and to substitute in its place a more traditional, understandable and popular ECE solution, i.e., universal educational programs for all 5-year-olds.

Governor Carter's priorities clearly were to help the most needy youngsters first. In 1972 he wrestled money from the state legislature to pay for part of a comprehensive program for the handicapped, with the federal government picking up the tab for the remainder under Social Security Title IV-A. The Title IV-A money never came through, but the governor had established his priorities. Opposition to his plans developed from many sides. Some opposed federal intrusion into state-supported schools; some felt the governor's proposal overstated the legislature's responsibility for social welfare; and others objected to the heavy emphasis on education for the needy to the exclusion of the middle class.

As a result of the appropriations bills of the 1972 legislative session, the legislature approved \$1.9 million in state funds to set up an Early Childhood Development program on a pilot basis (\$.5 million appropriation in HB 1204 and \$1.4 million in HB 1203). In addition, the definition of the ECD program as established in SB 676 (1972) was targeted toward the mentally and physically handicapped children from birth through 5 years of age. At

this stage, two leadership figures stood out: Governor Carter who refused to compromise his programmatic priorities and who used the "powers" of his office masterfully in a winning venture, and the politically astute Senator Rowan who negotiated the 1972 legislation through the hostile upper house.

The supportive posture of the proponents, as well as the hostile, antagonistic reaction of the legislature, were based upon value-orientations rather than research-based rationales. The opposition to the ECD policy was a product of a fear of federal control, and anti-social welfare bias and a strong reverence for the autonomy of the familial domain.

Bureaucratic Haggling Over Early Childhood Development Issue. During the summer, 1972, conflict became heated among the State Department of Education, the Governor, and related state agencies over spending priorities and implementation of the controversial 1972 preschool bill. While the concept of an ECD program was never able to achieve its potential without the matching federal funds, the Governor did establish a precedent for program implementation according to his priority of "individual need." In 1972-73, the \$1.9 million in state funds served 3,915 children, aged 0-5, in 44 school systems. According to the three components defined in the legislation: (I) 1,859 children under three years of age with physical and mental handicaps received testing, diagnosis and treatment services; educational programs were also provided to (II) 739 physically or mentally handicapped 3- to 5-year-olds and to (III) 1,317 "disadvantaged" 5-year-old children.

The Kindergarten Issue Comes of Age. As the 1973 legislative session approached, educators, primarily the SBE and the State Superintendent still refused to accept the Governor's preschool priorities. They sought to redefine the ECE issue in terms that were in consonance with their standard operating procedure, i.e., a universal educational offering for all children. Their goal was state-wide kindergarten for all 5-year-olds.

In the 1973 legislative session, the Governor countered the educators' plan for a statewide kindergarten with a proposal to phase in preschool programs over a five year period, but by providing for all exceptional children, ages 3 to 5, before providing for non-handicapped children of any age. Another suggestion, from a prominent legislator, was to improve existing elementary school programs before starting any new preschool programs. This session's politics highlighted the importance of the appropriation vs. the substantive phase in the policy making process. The administration once more achieved increased funding and services for young children through a line-item appropriation without introducing separate substantive legislation, such as the previous year's SB 676 (1972). It also demonstrated the "leadership potential" of the Georgia Chief Executive. For the second consecutive year the Governor's will prevailed in establishing the priority of "the needy first" against the wishes of many educators and legislators who favored the initiation of a conventional kindergarten program first. After considerable legislative haggling the administration triumphed, as the Senate Appropriations Committee approved almost \$6.7 million for preschool for mentally, physically and emotionally handicapped 5-year-olds never before served by public education.

Several new rationales emerged in 1973. The SDE founded their kindergarten proposal on the importance of early years, and especially, on the potential value of kindergarten as a remedy to primary grade failures and later dropout problems. The legislative proponents of HB 421 (1973) revealed a lack of research-based rationales in their deliberations on this question, but rather evidenced a search for a practical resolution of the issue at hand. The legislative opposition, in the form of Representative Floyd, enunciated an interesting alternative strategy. Rather than extending the

present offering to a thirteenth year (kindergarten), he proposed to improve the existing programs in grades 1-3 as a means to remedy the elementary problems. The administration held firm to its position that the area of greatest need (and concomitant impact) was the exceptional child, as detailed in its phase-in timetable of HB 431 (1973).

The Building of a Coalition. This mild rebuff to statewide kindergartens for 5-year-olds during the 1973 regular session wasn't the end of ECE reform. The legislature did establish a Blue Ribbon Commission, Adequate Program for Education in Georgia (APEG), to study both the ECE question and school finance problems. Although the Governor appointed himself to the group, its final recommendation--statewide kindergarten for all 5-year-olds with only limited attention to unusual needs--did not reflect the Governor's emphases.

The APEG recommendations on preschool education reflected an attempt by the legislatively dominated committee to come to an acceptable political compromise with the Governor on the issue of programs for "normal" 5-year-olds. While statistics on school failures, dropouts, and learning deficiencies were cited in support of their policy, it was clear that this research evidence was simply orchestrated to justify their predetermined preference for a conventional kindergarten program for all 5-year-olds.

The renewed interest of the education groups was a product of two stimuli: first, the proposed revision of the school finance formula activated the concerns of all education constituencies and served to generate a broader participation in this process, of which ECE was a component; and secondly, they were again concerned that the lion's share [\$4.717 million] of the \$6.610 million State Appropriation for Preschool Training for the Handicapped had been directed in 1973-74 toward providing new educational programs for less than 6 percent of the eligible 5-year-old population--

5,015 mentally, physically and emotionally handicapped children who had never before been served by public education.

The Symbolic Victory. In the 1974 legislative session, SB 672, the Adequate Program for Education in Georgia, which was a comprehensive education plan that was enacted, did authorize the establishment of kindergartens for all 5-year-olds and for all physically, mentally and emotionally handicapped 3- and 4-year-olds as well as the perceptually or linguistically deficient. During this session the SDE and SBE had supported kindergarten for all 5-year-olds, phased in over a 5-year period while the Governor had sought only money for continuing programs for the handicapped.

While some legislators showed an interest in kindergarten reform, there was no compelling reason for the legislature to provide the funding needed to implement the statewide kindergarten programs. The educational leadership had consistently been willing to settle in terms of other payments: the CSSO favored an overall reduction of the pupil-teacher ratio; the GAE supported increased teacher salaries as a method of attracting more competent personnel and elevating the quality of education. Thus, the proponents of statewide kindergarten had to settle for legislative authorization for kindergarten programs for all 5-year-olds, without any commitment of state funds.

The administration, however, achieved two important victories with the inclusion of 3- and 4-year-old handicapped children as part of the state's ECE program and with the appropriations for full state funding of an educational program for all handicapped 5-year-olds.

The Epilogue. Again, ECE reform might have gone no further, since no appropriations were made in 1974. However, the newly elected Governor Busbee initially garnered the support of CSSO Jack Nix, a consistent Carter opponent, and steered preschool funding through the 1975 legislature. Opposition again

surfaced, along much the same lines as it had in the previous legislative sessions. A compromise was adopted that included funds for initiating a statewide kindergarten program for all 5-year-olds, as well as full funding for special kindergartens for all physically, mentally and emotionally handicapped 5-year-olds.

Due to the ever-worsening economic situation, the legislature was reconvened in May. The special session cut out the \$8 million for statewide kindergartens and pared back all education appropriations. However, a \$7 million appropriation for special kindergartens did survive. Further ECE reforms are unlikely to be considered for several years, considering the unfavorable economic and political conditions.

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INTERVIEWS

Mr. Jack Acree, Executive Secretary, Georgia School Boards Association.**

Ms. Margie Brett, President, Georgia Congress of Parents and Teachers.*

Mr. Jack Burris, Director, Intergovernmental Relations, Office of Planning and Budget, Executive Department.

Representative A. L. Burruss, Speaker Pro Tem., House of Representatives.**

Honorable Jimmy Carter, Governor of Georgia.*

Mr. Bill Cloud, Office of Governor, Office of Planning and Budget.* and **

Dr. Joe Edwards, Assistant Superintendent for Legislation, State Department of Education.

Representative Robert Farrar, Chairman, House Education Committee.

Representative James H. Floyd, Chairman, House Appropriations Committee.

Dr. Larry Gess, Education Specialist, Office of Planning and Budget, Executive Department.

Mrs. Mary Gordon, Specialist, Early Childhood Education, State Department of Education.

Representative John Greer, Member, Georgia House of Representatives.

Dr. Allan Gurley, Director, Division of Early Childhood and Special Education, State Department of Education.

Mrs. Nellie Hoenes, Office of Planning and Budget, Executive Department.

Mr. J. M. (Pete) Hackney, Legislative Budget Analyst.

Representative Peyton Hawes, Member of House Education Committee and APEG Study Committee.**

Ms. Janet Jackson, Administrative Assistant to Representative Hawes.

* Single asterisk (*) indicates only correspondence with the individual.

** Double asterisk (**) indicates only telephone interview with the individual.

No asterisk indicates that a personal interview was conducted with the individual, as well as correspondence and telephone contacts.

Dr. Edmund Martin, Director, Georgia Educational Improvement Council,
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Mr. Hamilton McWhorter, Jr., and Staff, Secretary of the Senate, Georgia
Assembly.

Mr. J. C. Mitchem, Georgia Education Association.**

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Mr. M. J. "Mike" Padgett, Administrative Assistant to the President of
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Mr. Jody Powell, Public Relations Officer, Office of the Governor.

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Senator Bobby Rowan, Member, Senate Elementary and Secondary Education
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Senator Terrell Starr, Chairman, Senate Elementary and Secondary Education
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Mrs. Ann Woodward, President, Georgia School Boards Association.*

Chapter 9:
Comparative Case Study Analysis

by

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I. General Comments

Early Childhood Education Policy Making and State Politics of Education. This study was prepared as an exploratory research effort in the area of state-level educational policy making that was concerned with the initiation and development of a single issue, Early Childhood Education, and not with the broad patterns of governmental policy. (Table 9-1 identifies the three basic policy making areas in public education and depicts intergovernmental relations politics in a systems framework.)¹

In attempting to interpret the behavior of governmental units, such as our interest in the decision of a state legislature to enact or not to enact Early Childhood Education reform, we applied three alternative theoretical constructs to guide our research: economic, organizational and political theory. This strategy for investigating public policy making at the state level has been adapted from a recent foreign policy study in which Graham Allison analyzed the Cuban missile crisis in terms of the three alternative frames of reference.²

By studying policy activity through one set of conceptual lenses, then through a second, and finally through a third, policy researchers are able to examine and probe conflicting pieces of evidence and to analyze and generate alternative interpretations for a specific policy outcome. For instance, through the lens of the microeconomic or rational model, which assumes that goals are set, alternatives delineated and choices made on a cost-effective basis, public policy is viewed as a "choice" of a unitary and rational decision maker or set of decision makers.

Through a second set of conceptual lenses, the organizational model, which emphasizes the processes and procedures of the large organizations that constitute a government, policy making is characterized as "outputs" of the organizations functioning according to regular patterns of behavior, i.e., the best explanation of the organization's behavior at t is $t-1$; the best predictor of what will happen at $t+1$ is t .³

And finally, according to the political construct, the essence of decision making is bargaining, compromise and coalition building. Since values are divergent in a pluralistic society, there is an inherent conflict over goals. The best decisions are those that emerge from the consensus of the group, i.e., the process of "mutual adjustment."⁴

In our investigation of ECE policy making all three frameworks or models were used by our policy analysts to provide insights for understanding the events of our five contemporary case studies. While all three frames of reference were valuable in examining the emergence of the ECE policy issue, it is our conclusion that Early Childhood Education policy making is essentially a highly political process, with proposals for change initiated and carried out largely within the formal channels of the political system. For the most part, our cases indicate that ECE is the outcome of an extended political struggle that involved the interaction of governors, legislative leaders and followers, state boards, departments of education, academic scribblers, opinion leaders in the mass media and a host of lesser individuals and institutions. Moreover, ECE reformers must not only be aware of politics, but they must be influential in politics if they hope to achieve their public policy objectives.

The State of the Art of the State Policy Making Process. Our policy investigation confirmed our basic contention that in view of the lack of studies in the general area of state politics of education, an in-depth treatment or comparative case study approach is a most appropriate research strategy for the purposes of illuminating the rationales that states and state policy makers have used to support their recent ECE policy initiatives and for describing how ECE policy was made.

It is also important that the reader comprehend the intricacies and the fragmented nature of the policy making process. As our case studies illustrate, formal ECE legislation is the result of a complex process (see Table 9-2). Participants entered and exited from the process at different stages; they have spoken and unspoken rationales; the policy process has many outputs, from individual policy positions (Stage B in the Milstein-Jennings model presented in Table 9-2),⁵ policy recommendations (Stage C), bills and counter bills (Stage D), to the final legislation (Stage E); and the final outcome (Stage E) is the result of a bargaining process and is not necessarily linked to or determined by the intermediary motivations (Stages B-D).

Our research has also highlighted several factors as contributing to the emergence of state politics of education as a domain of particular importance: a recent increase in the level of support for education by state governments; a renewed interest and activism by state legislatures and executives in educational decision making; an increased activity at the state level among competing education agencies and interests over the allocation of scarce resources; and an absence of sufficient research on this vital government policy making area which was a major motive in our initiating a comparative study of ECE policy making at the state level.

II. Research Findings

Comparative Historical Perspective On ECE Policy Making. It is evident that social and economic conditions created the stimulus for society's addressing ECE reform in both the late nineteenth century and in the 1970's. The growing black population in urban ghettos in the 1960's caused the same social concern as the waves of new European immigrants had at the turn of the century. Each movement had its research advocates--the "scientific" child studies of G. Stanley Hall as opposed to the child development findings of Benjamin Bloom--and its philosophic influences--Pestalozzi and Froebel in contrast to Montessori and Piaget. Moreover, there were similar expectations or potential benefits from early intervention strategies. While kindergarten was historically touted as an instrument for quelling urban unrest, directing social change, and arresting the possible development of young criminals, today's ECE proponents have claimed that kindergarten will prevent juvenile delinquency and school dropout problems, will reduce the high incidence of failure in primary schools, and will be more cost effective than remediation efforts in subsequent grades.

From a comparative standpoint, there are major differences in the initiation of the ECE reforms. Private, philanthropic individuals were the prime supporters of ECE policy making in the nineteenth century, while federal ECE programs of the 1960's have been the major contemporary stimulus. Additionally, teacher organizations such as the National Education Association (NEA) had been a major force in promoting ECE reforms at the turn of the century whereas, in our contemporary case studies, they demonstrated a general reluctance to endorse ECE/kindergarten as a top educational priority, even though their constituents (teachers)

served to benefit from the expansion of public schooling. Similarly, while we might also have expected in the 1970's to find special interests such as women's liberation groups and working mothers to be active in advocating for ECE services, they did not appear to be present in large numbers. Perhaps the time frame for our study--1970-1973 legislative sessions--may be a premature measure of the latter group's potential influence on the ECE issue at the state level. These illustrations do serve, nonetheless, as cautions against drawing simple generalizations about contemporary ECE policy making from only an historical perspective.

The initial focus of both reforms (historic and contemporary) was on "targeted populations," e.g., special infant schools for southern and eastern European immigrants versus special federal programs for disadvantaged minorities, but the proponents' intention in seeking state support for their ECE reform has changed over time. Historically, reformers advocated universal ECE programs as an agency that was particularly suited to deal with peculiar American problems. Kindergarten was viewed by the early reformers as a means to a broad social end, the homogenization of an increasingly pluralistic population.

In the 1970's, however, ECE has been presented as an essential educational experience that is necessary for the optimum development of each child's potential--ECE as an end in itself. Moreover, the present-day kindergarten initiatives have been directed at providing services to the children of the middle class, who had previously been excluded from the targeted Great Society legislation of the 1960's.

Contemporary Case Study Analysis. The spillover of federal influences did stimulate interest in preschool programs at the state level. During

the 1960's, the adoption of programs such as Head Start, ESEA Title I, Social Security Act Title IV-A, and Office of Child Development prerogatives stimulated state interest in preschool programs both by symbolic policy decisions and by fiscal incentives.*

Another important federal influence was revenue sharing, which supplemented growing state budget surpluses to provide a highly favorable fiscal climate for addressing state priorities, including ECE. Statistics covering the first year and a half of the federal revenue sharing program (State and Local Fiscal Assistance Act) indicate that through June 30, 1973, the states received slightly more than 1 billion dollars. More than 60% of this money (\$664 million) went to education.⁶

State proponents of reform looked to these federal policy activities to help formulate their own proposals, and the particular response state activists selected was heavily influenced by federal priorities. For example, in West Virginia the federal Appalachian Regional Commission had established investment in preschool as a major priority, and had provided most of the money for two experimental Regional Demonstration Centers. Federal dollars targeted to specific areas provided even stronger incentives and canny state entrepreneurs sought to make good use of the three-to-one matching funds available under the Social Security Act Title IV-A. Similarly, the preschool authorization provision in the 1971 West Virginia legislation was tied directly to the Governor's strategy to qualify for anticipated federal funding under the pending Mondale-Brademas ECD

*This is graphically illustrated in the systems framework provided in Table 9-1. Spillover influences, especially school outputs from the national political system, create stress patterns that impact in the form of demands and supports on the state school system (Time 1B).

legislation. The Georgia chief executive, on the other hand, was assisted by a staff member who was an HEW intern. They defined the preschool issue in terms of ECD services for needy children in the hopes of qualifying for Title IV-A and the proposed HB 1 (the Mills bill) funding. Ohio used a Title V, ESEA planning grant to bolster its research rationales for ECE by contracting with an outside research corporation, the Batelle Institute. And finally, as federal funding began to dry up in the late 1960's, the Appalachian Education Laboratory, a federal contracting agency, sought state sponsorship of its ECE programs as a supplementary funding source.

Successful legislative strategy was patterned after each state's peculiar historical characteristics. For example, the broad array of ECE programs already being offered in California and the SDE's accepted role in ECE had established early childhood priorities and made the introduction of a proposal to educate 4-year-olds reasonable and feasible. However, in Georgia and West Virginia the lack of state-supported preschool programs made the initiation of new ECE programs more difficult and limited the scope of the reform to kindergarten legislation which was an incremental extension of the present 1-12 system to include all 5-year-olds. The fact that 95% of the 5-year-old population in Ohio had the opportunity to attend kindergarten was a major determinant of the legislation's acceptability.

Key individuals in early childhood policy formulation were most often new political actors (new, in point of time) who had not been previously active on this policy issue. And, in every case except New Mexico, they were government officials, e.g., governors in Georgia and West Virginia, young legislators in Ohio, and in California the Chief

State School Officer. Only in New Mexico did we find members of an outside interest group, called KIDS, Kindergartens-In-Demand-Statewide, that emerged out of a general dissatisfaction over lack of adequate preschool facilities for middle-class children, pressuring state policy makers to address the ECE issue.

The initial impetus for reform usually originated within the formal government with the chief policy entrepreneur, i.e., the initiator of the policy issue, being the governor in Georgia and West Virginia, the CSSO in California, and SDE officials in Ohio. The power of individual energizers--persons with the singular ability to influence political consideration of an issue--was a significant factor in the development and final outcome of ECE proposals. These energizers, too, were most often prominent government officials--the president of the Senate and governor in West Virginia, the State Superintendent of Public Instruction in California, the Public School Finance Chief and Senate Finance Committee Chairman in New Mexico and the governor in Georgia. The chief entrepreneur many times was also the primary energizer. The personal prejudices of influential individuals could greatly affect the content of an ECE program or its chances of success.

The SEAs, the most obvious participants in the formal educational governance system, were not initiators or leaders in the formulation of ECE proposals, except in California, where the ultimate success of ECE as a policy issue was attributable to the leadership of the newly elected state superintendent. In some cases ECE policy outcomes over time did reflect SDE priorities. For instance, the Ohio SDE and the Public School Finance Chief in New Mexico both demonstrated an ability to carefully

orchestrate the policy making process over several legislative sessions to find an acceptable resolution to their states' ECE issue. SDEs were also able to assist ECE proposals (as in California, Ohio and West Virginia), or to impede them (as in Georgia and New Mexico).

Our cases also testify to the highly differential leadership styles evidenced by SDEs and CSSOs on the ECE issue. The leadership posture ran the gamut from a general reluctance and follower attitude (West Virginia pre-1970), to passive support (New Mexico SDE and CSSO), to an anticipative position (Ohio), to reactive and challenging stance (Georgia and New Mexico School Finance Chief) to the initiator role (California). And generally, SDEs did not illustrate creativity in approaching the emerging ECE issue. They, for the most part, conducted very limited searches for policy alternatives and too readily accepted conventional kindergarten as the "optimal solution" to their ECE needs (Georgia, New Mexico and West Virginia). Other less traditional but viable alternatives were available. For example, the WVSDE did not seriously consider the advantages in program offerings and cost of the Appalachian Education Laboratory's home-based ECE proposal. Even the California ECE plan represented a total emphasis on formal schooling for 4-year-olds to provide programs of ECE, to the exclusion of home-based alternatives.

Neither teacher organizations nor working mothers/women's liberation groups, whose constituencies might be expected to gain most directly from ECE legislation, wielded significant influence in our case study states. The WVEA's decision, however, to oppose the State Department's plan to expand public schooling to include conventional kindergartens and instead to support the AEL's home-based less-labor-intensive ECE alternative is especially noteworthy. This again emphasizes the difficulty of

generalizing about or predicting the particular behavior of political entities, such as teacher organizations, across state political systems.

Legislative proposals introduced in the five states studied varied greatly in content. In West Virginia, for example, the proposal incorporated the mandatory offering of kindergarten, preschool authorization and the implementation of demonstration centers, while in Ohio the legislation was simply a mandatory offering of kindergartens. Just as there was great diversity among ECE proposals, so, too, there were a number of ways to launch the issue statewide. In California the State Superintendent elected a highly visible blue-ribbon group of citizens and professional educators to announce it; in West Virginia professional educators, especially leading out-of-state consultants, worked with the State Department of Education staff. In Georgia, the governor appointed a task force of department heads in 1972 to develop his ECD proposal, while a 1974 task force appointed by the legislature was composed of representatives of all major political interests, with a predominance of legislators.

ECE initiatives merged with broader reform had better chances of success. In West Virginia, California and Georgia school finance reform legislation was used as a vehicle for moving ECE through the political system. Extensive legislative modifications could merge, cut, kill or expand proposals. For example, in West Virginia the SDE and AEL proposals were merged into one piece of legislation, while in California the controversial 4-year-old component was emasculated in favor of support for a K-3 pilot ECE reform. Important modifications often included incisive incremental policy making bargains. The use of a phase-in process (West Virginia and California) and delayed funding (Ohio, Georgia and

New Mexico) were popular ways of making ECE reform more acceptable to skeptical legislators.

Rationales and Substantive Responses of State Policy Makers. Rationales behind ECE reform and the reactions provoked usually revolved around four basic areas of concern: social, political, economic and research. However, responses varied widely according to the way in which the specific proposal was cast and how it fit into the state's established cultural environment. The same ECE proposal introduced in two states could receive different receptions due primarily to dissimilar social systems or the particular political culture of the state.* For example, the active resistance of Georgia legislators is contrasted with the general acquiescence of West Virginia state officials with respect to similar preschool proposals supported by their respective governors.

Rationales were not always logical, nor based on appropriate data, but even illogical rationales could provide an impetus for substantive reform. In West Virginia, national statistics on performances on standardized tests ranked the state's children very low. The Senate president concluded that by starting children in school a year earlier, their relative scores nationwide would be raised by one year. This research rationale, adopted by one primary engineer, was supplemented by a social rationale--a growing self-consciousness among West Virginians because all the neighboring states offered kindergarten programs.

*Political culture is defined as "the system of empirical beliefs, expressed symbols, and values which defines the situation in which political action takes place."⁷ According to this conception, it may be said that state political systems develop distinctive attributes that influence the conversion process, that is, in our cases, the legislative decision-making process.

In California, political rationales were more important than the West Virginia-type social rationale, since ECE was seen as a vehicle for uniting people behind public education, as a side-payment for support of a broader school finance package, and as a means of addressing the discriminatory aspects of the existent system that served only needy children. This latter concern, which was raised in behalf of middle-class parents in each case study, was often reinforced by another social rationale, as expressed in the California ECE Task Force Report, that the state has an obligation to make sure that all children have the advantages of ECE programs. In addition, ECE advocates in California and Georgia offered the economic argument that the state could save tax dollars--presently wasted in unsuccessful remediation efforts in subsequent years--by the institution of ECE reforms.

Economic considerations were usually tied most strongly to the federal fiscal incentives. ECE presented alert state policy makers, such as the governors of Georgia and West Virginia, with an opportunity to secure additional federal resources, especially in heavy matching formulae, such as Title IV-A and the proposed comprehensive child development legislation. Other possible economic rationales, however, included (in Ohio) resolution of a controversy over state reimbursement for kindergarten transportation and the availability of state surpluses in four states.

Research rationales, while not extremely influential, were used primarily to support predetermined positions. One exception, however, was in Ohio. The SBE's 1971 legislative recommendation for compulsory kindergarten and subsequent ECE policy positions were based directly on a 1969 Batelle Institute research report and findings, most notably, that kindergarten was the best preparation for first grade. In contrast, Benjamin Bloom's

early intervention research, which was the most often cited study by ECE proponents, was used to justify a plethora of ECE initiatives, from conventional kindergarten to California's preschool plan, to Georgia's ECD proposal. Similarly, statistics on dropouts, failure or retention rates in elementary schools, and the incidence of disadvantages were repeatedly generated in every state to support all types of ECE strategies.

Reactions, or substantive responses, tended to challenge the role of state-supported Early Childhood Education or question fiscal priorities. Opponents in many states saw ECE as an unnecessary state or federal intrusion into family life, as a mere babysitting service, as a ploy by teachers to get more jobs, or as a competitor for funds needed by other education programs.

Fiscal objections primarily opposed preschool as a spending priority. "There is no money," was a popular reaction, and it took several forms in our case studies: we need to build up the 1-12 programs; we need to restructure K-3 programs before extending schooling to younger children; we have other areas of need that are important--the mentally retarded, the handicapped and disadvantaged; we lack necessary planning data on "teachers, facilities and costs"; and education does not justify additional resources, given its poor management.

Political circumstances also raised questions about the appropriateness of a particular ECE proposal. For instance, in West Virginia, the Appalachia Education Laboratory rightly feared that implementation of a conventional kindergarten program would blunt support for their innovative, home-based learning alternative. On the other hand, key policy makers in Georgia and New Mexico resisted the popular pressure that ECE services be provided

to all children, and insisted that scarce state resources be directed toward targeted populations that most needed ECE services.

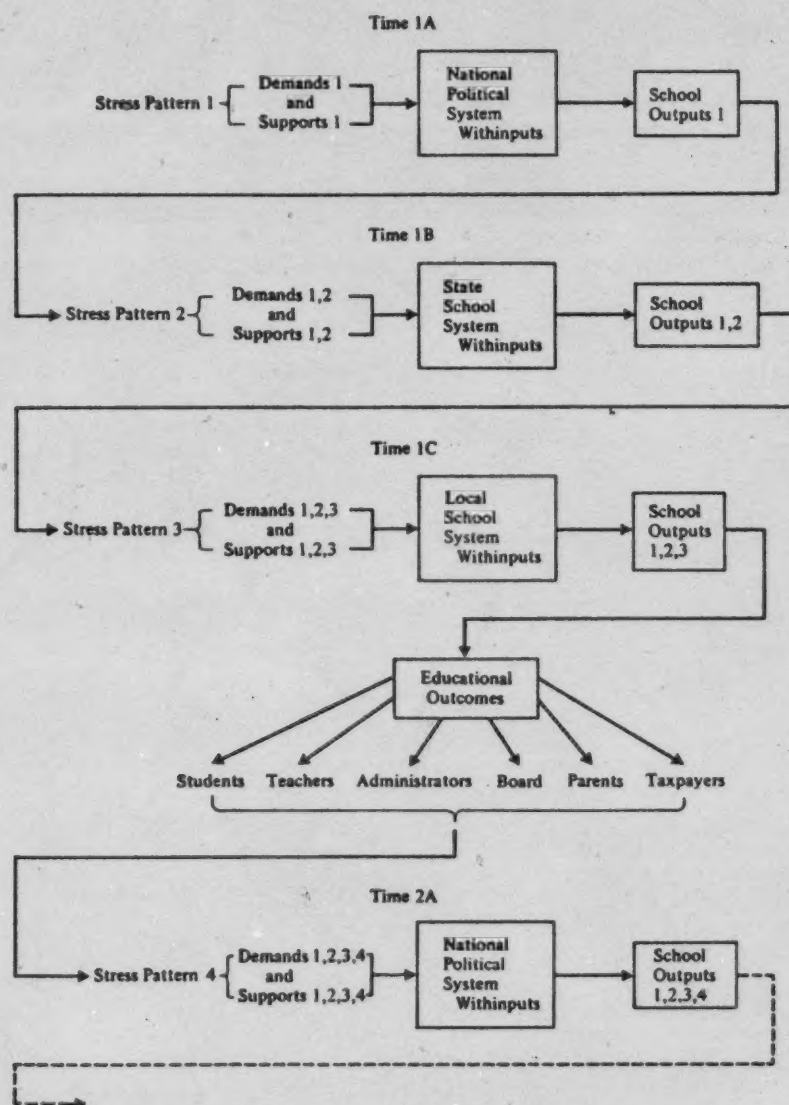
Among the critics of ECE policy making, as among its advocates, we find that the apparatus of research was assembled to defend predetermined policy positions. For example, Assemblyman Burke's tactic to disseminate a reprint of the Moore, Moon and Moore research to the California legislature served to mobilize a heretofore latent constituency who disapproved of the ECE legislation for a number of reasons. Similarly, Bloom's research on the importance of early intervention was used by those opposing certain ECE proposals to justify a number of different policy options. A conservative California legislator who acknowledged Bloom's contention regarding the importance of early years advocated that this was more reason to limit state interference in these formative years. In a second instance, the Appalachian Education Laboratory cited Bloom in support of their home-based ECE program for 3-, 4- and 5-year-olds, while they challenged the appropriateness of conventional kindergarten as the proper policy response for rural children.

Thus, research rationales were gleaned from a wide body of literature and tailored to fit the needs of the spokesmen in the individual state. And this is to be expected in the state policy making process which is essentially political.

TABLE 9-1*

THREE POLICY-MAKING AREAS IN PUBLIC EDUCATION

Figure II.1 Intergovernmental Relations in a Systems Framework



*Source: Wirt, F. M. and Kirst, M. W. The Political Web of American Schools. Boston: Little, Brown and Company, 1973, p. 149.

STAGES OF THE POLICY PROCESS

Policy-making might be viewed as a cycle involving movement from unsatisfactory conditions to greater satisfaction with conditions. This cycle--which can be referred to as a Present-Preferred Cycle--includes the following stages:*

- A. Period of Dissatisfaction. Specific groups (e.g. blacks, women, youth, the aged, labor) become unhappy with constraints upon their activities. This might be due to the existence of oppressive policy or lack of desired policy.

I. Policy Decision Stage**

- B. Reformulation of Attitudes. If dissatisfaction is great enough, some new direction and crystallization of attitudes take place. Leaders emerge and are given--or take--responsibility to articulate the group's grievance.
- C. Idea Formulation. The original negative criticism of the aggrieved group is translated into alternatives to the constraining situation. These alternatives might come from others enlisted in the cause.
- D. Debate. The scope of involvement is widened to enhance the potential of successfully "selling" alternatives. This process makes active participants (and potential supporters) out of latent critics and encompassing necessary modifications in proposed alternatives before they reach the legislative stage.
- E. Legislation. The formal mechanisms of government are petitioned to move alternatives into law. (Government officials usually involved in the policy process long before it gets to this stage.)

II. Policy Implementation Stage**

- F. Implementation. The new law must be put into effect. This becomes the responsibility of executive agencies.

III. Policy Consequence Stage**

- G. In short, the cycle often begins anew as groups are constantly forming around the dissatisfactions.

*This model, developed by Milstein and Jennings, was selected because it offers a sequential focus on the various stages in the policy making process in contrast to the broad overview of educational policy making provided by the Wirt-Kirst systems framework in Table 9-1. (We are not presently concerned with Milstein and Jennings' assumption about a "Present-Preferred Cycle" of policy making.)

Source: Milstein, M. and Jennings, R. Educational Policy-Making and the State Legislature: The New York Experience. New York: Praeger Publishers, 1973, pp. 8-9.

**Mosher's three stages of the policy process have been transposed on to the Milstein and Jennings model in order to highlight the focus of our case studies, the Policy Decision Stage, that is, what happens to an idea between the time it is conceived and the time it becomes the law of a state. Legislative action concluded each of our cases and we did not follow the initiatives through their implementation and evaluation/feedback.

Source: Mosher, Frederic. Governmental Reorganization: Cases and Commentary. New York: Bobbs-Merrill Company, Inc., 1967, pp. IX-20.

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Part Three:

**Comparative Case Study
Research Design**

Chapter 10:

**Research Surveys of Early Childhood
Education Legislation: State Early
Childhood Education Policy Activity
Between 1970-1973 Legislative Sessions**

by

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I. Surveys of State Early Childhood Education Legislation

Much thought and effort was given to the choice of the target states for our in-depth case study investigation. We surveyed the states utilizing the only existing data base relating to state early childhood education (ECE) legislation. The Education Commission of the States (ECS) had compiled this inventory of legislation in the ECE area beginning with the 1970 through the 1973 legislative session (19)(20)(21)(22).^{*} We also searched the ECE literature and contacted various ECE agencies for additional information and leads concerning ECE legislative policy activity at the state level.

In October 1973, we contacted the Legislative Reference Services (LRS) of every state where ECS had reported some legislative activity.^{**} (See Attachments 10-1, p. 313 and 10-2, p. 314.) We sought a verification of the completeness of our list of ECE legislative citations and we requested that a copy of each piece of legislation be forwarded to us. Concomitantly, we surveyed the State Education Agencies (SEA) both through the offices of the chief state school officers (CSSO) and the directors of offices of child development (OCD), seeking to validate our inventory of legislative references and requesting assistance in identifying additional citations that were not included within the original ECS surveys (see Attachments 10-3, p. 319 and 10-4, p. 321).

^{*}We are using the author and number reference format. See Chapter 12, Selected Bibliography.

^{**}Eight Legislative Reference Services were not contacted since these states had no reported early childhood legislative activity. Nonetheless, the chief state school officers of these states were surveyed in order to validate the state's lack of ECE policy activity.

Our survey of the state Legislative Reference Services resulted in 100% response rate. Additionally, some 39 of the 50 chief state school officers, or 78%, responded to our SEA survey. As a result of our survey techniques, we expanded our original inventory of 130 legislative citations to 280 citations. Only three states—Indiana, Mississippi and Wisconsin—were identified as having no ECE legislative activity between 1970 and 1973 legislative sessions.

While we were pleased with the response to our surveys, it should be recognized that our pool of ECE legislation (280 legislative citations) was limited, and it provided only the most rudimentary or first level introduction to ECE policy making activity at the state level. Nonetheless, it did furnish us with sufficient data on the existing ECE legislative activity in the states as a basis for the selection of our five case studies.

II. Classification of ECE Legislation

For each piece of legislation we secured certain descriptive information:*

- a. State
- b. Year
- c. Bill number
- d. Statute number
- e. Status: (1) enacted, (2) vetoed, (3) failed,
(4) carry-over, (5) other

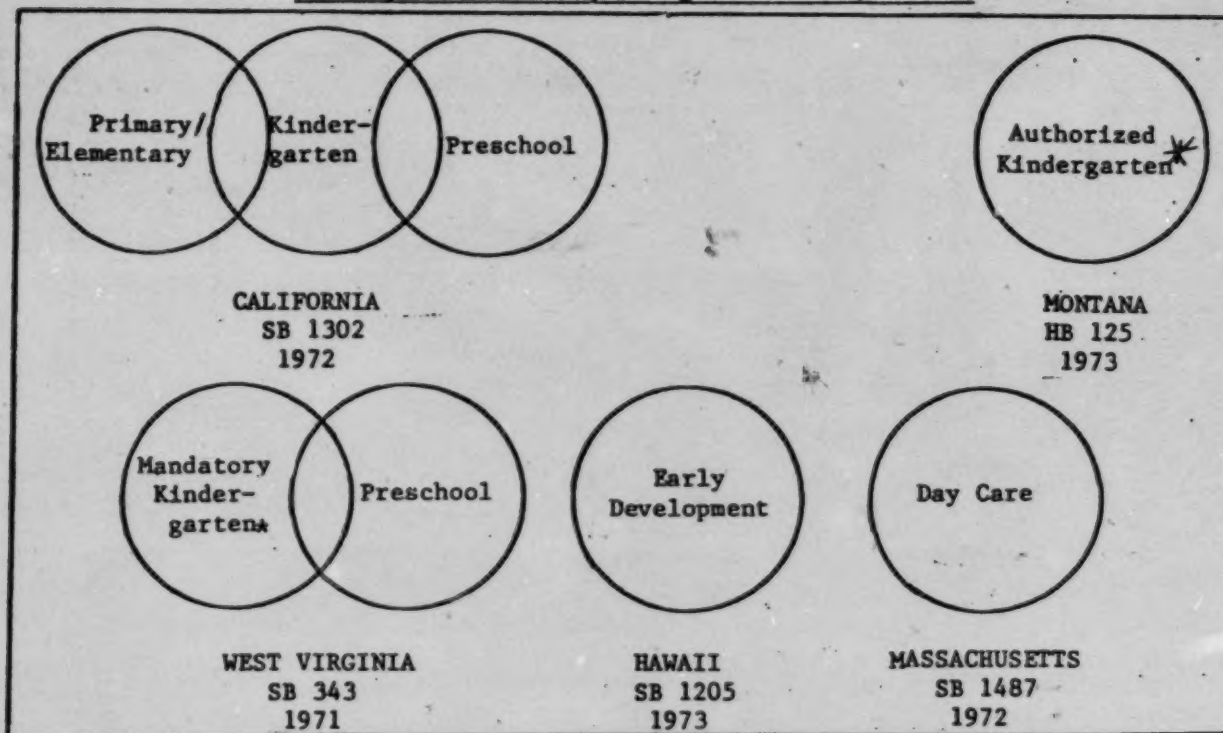
Our next step involved the classification of this legislation into appropriate policy categories. Five policy categories were identified by the principal investigator and these lay out the basic ECE policy alternatives.

*See the third section (III, p. 298) of this chapter for a detailed enumeration of our inventory of ECE legislation.

- a. Primary/Elementary--reform directed primarily toward changes in elementary schooling.
- b. Kindergarten--programs primarily for five-year-olds.
- c. Preschools--programs for four-year-olds/younger children up to four years.
- d. Early Development--programs primarily aimed at providing a wide range of services to children from the earliest years (through eight years).
- e. Day Care--programs which provide part-time care for children in the absence of their parents.

Each piece of legislation was assigned an ECE policy designation(s) based on its substantive contents. For example, while the policy term early childhood education referred to the authorization for local districts to provide programs for five-year-olds (Montana House Bill 125, 1973), its meaning varied in other states. California's Senate Bill 1302, 1972 proposed to restructure early education experiences--kindergarten through third grade--as well as the extension of schooling to include four-year-old children. Hawaii's Senate Bill 1205, 1973 referred to early development programs; Massachusetts' Senate Bill 1487, 1972 to day care services; and West Virginia's Senate Bill 343, 1971 to the mandatory provision of kindergarten and the authority to establish preschool programs. The accompanying configurations (page 297) serve to highlight the complexity in applying the single or uniform term early childhood education as a standard policy designation to programs for young children across the states. ECE has indeed served as an umbrella for many different types of policy activities at the state level.

TABLE
Early Childhood Education Policy Categories
Primary and Secondary Designations Illustrated



Of the 280 ECE citations, 26 (or 9.3%) were designated according to our first policy category as primary/elementary, 69 (or 24.7%) as kindergarten, 23 (or 8.2%) as preschool, 69 (or 24.6%) as early development, and 33 (or 11.8%) day care. (An additional 60 citations (or 21.4%) were identified as belonging to other policy categories, such as parent education, special education, or of an indeterminate status.) Of the 220 pieces of legislation in our five defined ECE policy categories, 85 (or 38.6%) had been enacted, 2 (or .9%) had been vetoed, 70 (or 31.8%) had failed and 1 (or .5%) was carried over. The status of the remaining 62 pieces of legislation (or 28.2%) either had not been resolved at the time of our survey, or was not provided by the responding agency.

*It needs to be clarified that for the purposes of this study the terms mandatory and authorized only refer to the offering of an educational service by the state or school district. The terms compulsory and permissive only refer to the attendance of children. While no state presently compels the attendance of children below first grade, 9 states in 1972 mandated the offering of kindergarten services by their school districts, e.g., Senate Bill 343, 1971, West Virginia, mandated that each school district will provide kindergarten programs for all children. In comparison, House Bill 125, 1973, Montana, authorized school districts to establish kindergartens if local funding was available.

III. Survey Inventory of State ECE Legislation

As we explained earlier in this chapter, each state was surveyed twice in order to secure an accurate record of ECE policy activity during the 1970 through the 1973 legislative sessions. The following is an enumeration of our ECE data pool with the appropriate descriptors.

Example:

01 AL 01 71 1-HB95	ACT1935	1-E 2	0001 1-
I II III IV V VI	VII	VIII IX	X XI

Explanation of Coding:

- I Numerical Abbreviation for States--Alphabetical Order Format.
- II Alphabetical Abbreviation for States.
- III Chronological Listing of Legislation for a Particular State (by year, by lower house-upper house ordering).
- IV Abbreviation for Year of Legislation
- V Symbol for the Legislative Body Where the Legislation Originated:
(1) Lower House/(2) Upper House/(3) Legislature/(4) Executive/
(5) Other/(8) Not Applicable/(9) Missing Value/(0) No Activity.
- VI Bill Number/Citation of Legislation.
- VII Statute Number/Citation, if Item Has Been Enacted.
- VIII Legislative Status Indicator: (Consideration Index)
(1) Enacted/(2) Vetoed/(3) Failed/(4) Carry Over/(5) Other/
(6) Inactive/(8) Not Applicable/(9) Missing Value/(0) No Activity.
- IX Legislative Classification Indicator: (Comparability Index)
(1) Primary-Elementary/(2) Kindergarten/(3) Preschool/
(4) Day Care-Child Care/(5) Early Development/(6) Other/
(7) Kindergarten-Primary/(8) Not Applicable/(9) Missing Value/
(0) No Activity.
- X Numerical Listing of Legislative Citations (by state--alphabetical order/by year--earliest to latest/by house--lower than upper than other).
- XI Identification of the Sources of the 325 Early Childhood Education citations: (1) Original 1970-1973 citations, based upon ECS inventories of ECE policy activity (130 citations)/(2) Expanded 1970-1973 citations, based upon our project surveys of state ECE policy activity (150 citations)/(3) Subsequent ECE citations, based upon our case study investigations of five states: CA, GA, NM, OH and WV (32 citations)/(4) Original pre-1970 citations, based upon our ECS inventories of ECE policy activity (13 citations)
(8) Not Applicable/(9) Missing Value/(0) No Activity.

STATE YEAR BILL NO. STATUTE NO. STATUS ECE CATEGORIES**ALABAMA:****01 AL(03)**

01 AL 01 71 1-HB95	ACT1935	1-E 2	0001 1-
01 AL 02 71 2-SB379	ACT2484	1-E 8	0002 1-
01 AL 03 73 1-HB1182		1-E 2	0003 2-

ALASKA:**02 AK(16)**

02 AK 01 66 3-	CH98	1-E 9	0004 4-
02 AK 02 71 2-S32		3-F 3	0005 2-
02 AK 03 71 2-S54		3-F 3	0006 2-
02 AK 04 71 2-S124	CH69	1-E 6	0007 2-
02 AK 05 72 1-H661		3-F 8	0008 2-
02 AK 06 72 2-S236	CH187	1-E 8	0009 2-
02 AK 07 72 2-S340		3-F 8	0010 2-
02 AK 08 73 1-H68		5-0 3	0011 2-
02 AK 09 73 1-H69		5-0 6	0012 2-
02 AK 10 73 1-H207		5-0 8	0013 2-
02 AK 11 73 1-H292		5-0 7	0014 2-
02 AK 12 73 2-S149		5-0 4	0015 2-
02 AK 13 73 2-S156		5-0 8	0016 2-
02 AK 14 73 2-S258		5-0 3	0017 2-
02 AK 15 73 2-SCR5		1-E 2	0018 1-
02 AK 16 73 8-HB387		8-E 8	0019 1-

ARIZONA:**03 AZ(08)**

03 AZ 01 71 2-SB1	CH177	1-E 2	0020 1-
03 AZ 02 72 1-HB2002		3-F 1	0021 1-
03 AZ 03 72 1-HB2045		3-F 1	0022 1-
03 AZ 04 72 1-HB2152		3-F 3	0023 1-
03 AZ 05 72 2-SB1041		3-F 5	0024 1-
03 AZ 06 73 1-HB2109		5-0 2	0025 1-
03 AZ 07 73 1-HB2283		5-0 3	0026 1-
03 AZ 08 73 2-SB1042		5-0 1	0027 1-

ARKANSAS:**04 AR(11)**

04 AR 01 69 3	ACT63	1-E 7	0028 4-
04 AR 02 71 3	ACT234	1-E 5	0029 2-
04 AR 03 73 1-HB155	ACT83	1-E 2	0030 1-
04 AR 04 73 1-HB387	ACT134	1-E 9	0031 2-
04 AR 05 73 1-HB809	ACT582	1-E 5	0032 2-
04 AR 06 73 2-SB100		2-V 2	0033 1-
04 AR 07 73 2-SB101		3-F 2	0034 1-
04 AR 08 73 2-SB236	ACT123	1-E 4	0035 2-
04 AR 09 73 2-SB247	ACT143	1-E 2	0036 1-
04 AR 10 73 2-SB493	ACT478	1-E 2	0037 2-
04 AR 11 73 2-SR13		1-E 2	0038 1-

STATE YEAR BILL NO. STATUTE NO. STATUS ECE CATEGORIES

309

CALIFORNIA:

05 CA(31)			
05 CA 01 63 3-		1-E 6	0039 3-
05 CA 02 65 1-AB1331		1-E 6	0040 3-
05 CA 03 70 1-AB750	CI619	1-E 9	0041 1-
05 CA 04 70 1-AB1779	CH775	1-E 9	0042 1-
05 CA 05 70 2-SB982		1-E 9	0043 1-
05 CA 06 70 2-SB1165		2-V 9	0044 1-
05 CA 07 70 2-SB1169		3-F 9	0045 1-
05 CA 08 72 1-AB99	CH670	1-E 5	0046 1-
05 CA 09 72 1-AB210	CH1342	1-E 5	0047 1-
05 CA 10 72 1-AB1011		3-F 5	0048 1-
05 CA 11 72 1-AB1236		3-F 3	0049 3-
05 CA 12 72 1-AB1429		3-F 6	0050 3-
05 CA 13 72 2-SB90	CH1406	1-E 6	0051 1-
05 CA 14 72 2-SB206	CH1063	1-E 3	0052 1-
05 CA 15 72 2-SB982		9-M 9	0053 2-
05 CA 16 72 2-SB1302	CH1147	1-E 7	0054 1-
05 CA 17 73 1-AB336		5-O 3	0055 2-
05 CA 18 73 1-AB387	CH11	1-E 4	0056 1-
05 CA 19 73 1-AB525		5-O 6	0057 2-
05 CA 20 73 1-AB1062	CH1037	1-E 6	0058 2-
05 CA 21 73 1-AB1244	CH1191	1-E 4	0059 2-
05 CA 22 73 1-AB2371		5-O 4	0060 2-
05 CA 23 73 1-AB2618		5-O 4	0061 2-
05 CA 24 73 2-SB925		5-O 6	0062 2-
05 CA 25 73 2-SB982		5-O 8	0063 2-
05 CA 26 73 2-SB1016		5-O 5	0064 2-
05 CA 27 73 2-SB1165		5-O 9	0065 1-
05 CA 28 73 2-SB1290		5-O 4	0066 2-
05 CA 29 73 2-SB1302		5-O 7	0067 1-
05 CA 30 73 2-SB1323		5-O 4	0068 2-
05 CA 31 73 2-SCR50		5-O 7	0069 2-

COLORADO:

06 CO(04)			
06 CO 01 73 1-HB1186		5-O 5	0070 2-
06 CO 02 73 2-SB53		3-F 4	0071 1-
06 CO 03 73 2-SB140		3-F 4	0072 1-
06 CO 04 73 2-SB301		3-F 3	0073 1-

CONNECTICUT:

07 CT(06)			0074 1-
07 CT 01 71 1-HB6470	PA659	2-V 5	0075 1-
07 CT 02 73 1-HB5164		3-F 5	0076 2-
07 CT 03 73 1-HB6054		5-O 5	0077 2-
07 CT 04 73 1-HF9037		5-O 5	0078 2-
07 CT 05 73 1-HB9194		5-O 5	0079 1-
07 CT 06 73 2-SB759		3-F 5	

STATE YEAR BILL NO. STATUTE NO. STATUS ECE CATEGORIESDELAWARE:

08 DL(11)				
08 DL 01 70 1-HSI	V57CH112	1-E 1		0080 1-
08 DL 02 71 1-HB45	V45CH27	1-E 4		0081 2-
08 DL 03 71 1-HB255		3-F 1		0082 2-
08 DL 04 71 2-SB202		3-F 4		0083 2-
08 DL 05 73 1-HB66		3-F 1		0084 2-
08 DL 06 73 2-SB7		5-0 1		0085 2-
08 DL 07 73 2-SB8		5-0 1		0086 2-
08 DL 08 73 2-SB39		5-0 5		0087 2-
08 DL 09 73 2-SB43		1-E 1		0088 2-
08 DL 10 73 2-SB161	V59CH220	1-E 5		0089 2-
08 DL 11 73 2-SB174	V59CH83	1-E 1		0090 2-

FLORIDA:

09 FL(10)				
09 FL 01 68 1-HB60-X	CH68-12	1-E 2		0091 4-
09 FL 02 72 1-HB2987	CH72-285	1-E 5		0092 1-
09 FL 03 72 1-HB3240		3-F 9		0093 1-
09 FL 04 72 1-HB4269	CH72-232	1-E 9		0094 1-
09 FL 05 72 2-SB147		5-0 1		0095 1-
09 FL 06 73 1-HB425	CH73-261	1-E 1		0096 1-
09 FL 07 73 1-HB513	CH73-265	1-E 7		0097 2-
09 FL 08 73 1-HB725		3-F 5		0098 1-
09 FL 09 73 1-HB734	CH73-345	1-E 2		0099 2-
09 FL 10 73 2-SB823		3-F 5		0100 1-

GEORGIA:

10 GA(16)				
10 GA 01 68 1-HB453		1-E 6		0101 3-
10 GA 02 72 1-HB1112		3-F 2		0102 2-
10 GA 03 72 1-HB1203		1-E 5		0103 3-
10 GA 04 72 1-HB1204		1-E 5		0104 3-
10 GA 05 72 1-HB2031		3-F 5		0105 3-
10 GA 06 72 2-SB676	ACT1234	1-E 5		0106 1-
10 GA 07 73 1-HB50		3-F 2		0107-2-
10 GA 08 73 1-HB141		1-E 3		0108 2-
10 GA 09 73 1-HB421		3-F 2		0109 2-
10 GA 10 73 1-HB431		3-F 6		0110 3-
10 GA 11 73 1-HB479		3-F 6		0111 2-
10 GA 12 73 1-HB837		3-F 5		0112 2-
10 GA 13 74 1-HB1913		3-F 2		0113 3-
10 GA 14 74 2-SB672		1-E 2		0114 3-
10 GA 15 75 1-HB170		1-E 2		0115 3-
10 GA 16 75 1-HB1EX		1-E 2		0116 3-

HAWAII:

11 HI(03)				
11 HI 01 65 1-HB49	ACT175	1-E 6		0117 4-
11 HI 02 73 1-HB1135		9-M 5		0118 2-
11 HI 03 73 2-SB1205		1-E 5		0119 2-

IDAHO:

12 ID(10)		
12 ID 01 70 2-SB1460	3-F 6	0120 2-
12 ID 02 71 2-SB1077	3-F 2	0121 2-
12 ID 03 71 2-SB1135	3-F 2	0122 2-
12 ID 04 71 1-HJR3	3-F 6	0123 2-
12 ID 05 71 1-HJR22	3-F 6	0124 2-
12 ID 06 72 2-SJR124	1-E 6	0125 1-
12 ID 07 73 1-HB291	3-F 2	0126 2-
12 ID 08 73 2-SB1123	3-F 2	0127 1-
12 ID 09 73 2-SB1124	3-F 2	0128 2-
12 ID 10 73 1-HCR26	1-E 6	0129 2-

ILLINOIS:

13 IL(10)		
13 IL 01 69 1-HB2903	1-E 4	0130 4-
13 IL 02 72 1-HB322	1-E 5	0131 1-
13 IL 03 72 1-HB323	1-E 5	0132 1-
13 IL 04 72 1-HB4337 PA77-2727	1-E 5	0133 1-
13 IL 05 73 1-HB945	3-F 2	0134 1-
13 IL 06 73 1-HB1344	5-O 3	0135 2-
13 IL 07 73 1-HB1560	3-F 6	0136 2-
13 IL 08 73 1-HB1848	3-F 3	0137 2-
13 IL 09 73 2-SB912	5-O 3	0138 2-
13 IL 10 73 2-SB996	5-O 3	0139 1-

INDIANA:

14 IN(00)

IOWA:

15 IA(03)		
15 IA 01 70 5- PROPOSAL	8-U 3	0140 2-
15 IA 02 73 2-SF102	5-O 2	0141 1-
15 IA 03 73 2-SF569	5-O 4	0142 2-

KANSAS:

16 KS(05)		
16 KS 01 72 1-HB1866	3-F 6	0143 1
16 KS 02 72 1-HB2099 CH260	1-E 5	0144 1
16 KS 03 73 1-HB1256	5-O 5	0145 2-
16 KS 04 73 2-SB166	3-F 5	0146 1-
16 KS 05 73 2-SB366	5-O 5	0147 2-

KENTUCKY:

17 KY(01)		
17 KY 01 72 2-SB313	3-F 1	0148 1-

LOUISIANA:

18 LA(03)			
18 LA 01 72 1-HB835	ACT368	1-E 5	0149 2-
18 LA 02 72 2-SB659		3-F 1	0150 1-
18 LA 03 73 4-	EX.ORD.79	8-U 5	0151 2-

MAINE:

19 ME(04)			
19 ME 01 65 1-LD1392		1-E 9	0152 4-
19 ME 02 73 1-LD1580		3-F 3	0153 1-
19 ME 03 73 2-LD1639		3-F 5	0154 1-
19 ME 04 73 1-LD1842		3-F 6	0155 1-

MARYLAND:

20 MD(05)			
20 MD 01 70 2-SB221	CH4	1-E 1	0156 1-
20 MD 02 71 1-HB117	CH503	1-E 2	0157 1-
20 MD 03 72 1-HB937	CH315	1-E 1	0158 2-
20 MD 04 73 2-SB556	CH413	1-E 4	0159 1-
20 MD 05 73 1-SB648		5-0 1	0160 2-

MASSACHUSETTS:

21 MA(06)			
21 MA 01 71 1-H546		3-F 3	0161 1-
21 MA 02 71 1-H642		3-F 3	0162 1-
21 MA 03 71 1-H2584		3-F 6	0163 1-
21 MA 04 71 5-	EX.ORD.	8-U 7	0164 2-
21 MA 05 72 2-S1487	CH785	1-E 4	0165 2-
21 MA 06 72 9-	CH766	1-E 1	0166 2-

MICHIGAN:

22 MI(03)			
22 MI 01 72 2-SB1269	PA258	1-E 7	0167 2-
22 MI 02 72 1-HB4510	PA88	1-E 5	0168 1-
22 MI 03 72 1-HB5718	PA7	1-E 1	0169 1-

MINNESOTA:

23 MN(02)			
23 MN 01 73 1-HB70		1-E 2	0170 2-
23 MN 02 73 3-	SEC120.17	1-E 5	0171 2-

MISSISSIPPI:

24 MS(00)

MISSOURI:

25 MO(01)			
25 MO 01 73 2-SB192		5-0 5	0172 2-

STATE YEAR BILL NO. STATUTE NO. STATUS BCE CATEGORIES**MONTANA:**

26 MT(02)			
26 MT 01 71 1-HB202		3-F 2	0173 2-
26 MG 02 73 1-HB125	NO345	1-E 2	0174 1-

NEBRASKA:

27 NB(08)			
27 NB 01 73 2-LB102		1-E 5	0175 2-
27 NB 02 73 2-LB173		5-0 6	0176 2-
27 NB 03 73 2-LB207		1-E 6	0177 2-
27 NB 04 73 2-LB336		1-E 5	0178 2-
27 NB 05 73 2-LB403		1-E 5	0179 2-
27 NB 06 73 2-LB427		5-0 8	0180 2-
27 NB 07 73 2-LB432		4-C 5	0181 2-
27 NB 08 73 2-LB546		5-0 6	0182 2-

NEVADA:

28 NV(03)			
28 NV 01 73 8-A2495		8-N 9	0183 1-
28 NV 02 73 2-SB214	34-185	1-E 5	0184 2-
28 NV 03 73 2-SB245	34-183	1-E 6	0185 2-

NEW HAMPSHIRE :

29 NH(02)			
29 NH 01 73 1-HB329		3-F 6	0186 1-
29 NH 02 73 1-HB448		3-F 9	0187 1-

NEW JERSEY:

30 NJ(18)			
30 NJ 01 70 1-A397		3-F 4	0188 2-
30 NJ 02 70 1-A1142		3-F 4	0189 2-
30 NJ 03 70 1-A1329		3-F 4	0190 2-
30 NJ 04 70 1-A1591		3-F 4	0191 2-
30 NJ 05 70 1-A2642		3-F 6	0192 2-
30 NJ 06 70 1-ACR86		3-F 6	0193 2-
30 NJ 07 70 2-S661		3-F 4	0194 2-
30 NJ 08 70 2-S991		3-F 4	0195 2-
30 NJ 09 70 2-S1023		1-E 4	0196 2-
30 NJ 10 71 1-A2273		3-F 4	0197 2-
30 NJ 11 71 2-S2235	CH149	1-E 5	0198 2-
30 NJ 12 72 1-A53		3-F 4	0199 2-
30 NJ 13 72 1-A123		3-F 4	0200 2-
30 NJ 14 72 1-A1095		3-F 5	0201 2-
30 NJ 15 72 2-S2105		3-F 4	0202 2-
30 NJ 16 73 1-A2385		3-F 3	0203 1-
30 NJ 17 73 1-A2548		3-F 2	0204 1-
30 NJ 18 73 2-S180		1-E 6	0205 2-

STATE YEAR BILL NO. STATUTE NO. STATUS ECE CATEGORIES**NEW MEXICO:**

31 NM(10)			
31 NM 01 67 1-HB230	3-F 2		0206 3-
31 NM 02 70 1-HB62	3-F 2		0207 3-
31 NM 03 70 1-HJM10	1-E 2		0208 3-
31 NM 04 71 1-HB34	3-F 2		0209 3-
31 NM 05 71 1-HB223	3-F 2		0210 3-
31 NM 06 71 1-HB300	3-F 2		0211 3-
31 NM 07 72 2-SB17	77-6&2-2 1-E 1		0212 1-
31 NM 08 73 1-HB300	1-E 2		0213 3-
31 NM 09 73 1-HB360	77-11-2 1-E 2		0214 1-
31 NM 10 73 5-	MEMO CSSO 8-U 5		0215 2-

NEW YORK :

32 NY(14)			
32 NY 01 69 3-	CH296 1-E 6		0216 4-
32 NY 02 70 3-	CH183,1969 1-E 6		0217 1-
32 NY 03 73 1-A614	5-0 4		0218 1-
32 NY 04 73 1-A1031	5-0 4		0219 1-
32 NY 05 73 1-A1229	5-0 3		0220 1-
32 NY 06 73 1-A1237	5-0 3		0221 1-
32 NY 07 73 1-A1564	3-F 3		0222 1-
32 NY 08 73 1-A2031	5-0 5		0223 2-
32 NY 09 73 1-A7326	CH699 1-E 3		0224 2-
32 NY 10 73 2-S73	3-F 2		0225 1-
32 NY 11 73 2-S186	5-0 4		0226 1-
32 NY 12 73 2-S1228	5-0 4		0227 1-
32 NY 13 73 2-S1282	5-0 5		0228 1-
32 NY 14 73 2-S1560	5-0 5		0229 1-

NORTH CAROLINA:

33 NC(02)			
33 NC 01 69 2-SB109	CH1213 1-E 2		0230 4-
33 NC 02 73 1-H127	GS115-358 1-E 2		0231 1-

NORTH DAKOTA:

34 ND(03)			
34 ND 01 69 2-SB432	CH175 1-E 6		0232 4-
34 ND 02 73 1-HB1137	3-F 2		0233 1-
34 ND 03 73 1-HB1140	3-F 2		0234 1-

STATE YEAR BILL NO. STATUTE NO. STATUS ECE CATEGORIES

OHIO:

35 OH(13)			
35 OH 01 69 2-SB181	3-F 2		0235 3-
35 OH 02 71 1-HB475	1-E 6		0236 1-
35 OH 03 71 1-HB496	3-F 2		0237 3-
35 OH 04 72 1-HB81	1-E 4		0238 1-
35 OH 05 73 1-HB159	1-E 2		0239 1-
35 OH 06 73 1-HB160	1-E 5		0240 2-
35 OH 07 73 1-HB280	5-0 6		0241 2-
35 OH 08 73 1-HB289	5-0 5		0242 2-
35 OH 09 73 1-HB510	5-0 3		0243 2-
35 OH 10 73 1-HB839	5-0 5		0244 2-
35 OH 11 73 1-HB954	5-0 6		0245 2-
35 OH 12 73 2-SB148	1-E 6		0246 2-
35 OH 13 73 2-SB154	1-E 5		0247 2-

OKLAHOMA:

36 OK(05)			
36 OK 01 69 2-SB118	1-E 2		0248 4-
36 OK 02 71 1-HB1125	1-E 7		0249 1-
36 OK 03 71 1-HB1163 T70-18-108	1-E 2		0250 2-
36 OK 04 72 1-HB1648 T70-1-114	1-E 2		0251 1-
36 OK 05 73 2-SB250	1-E 5		0252 2-

OREGON:

37 OR(08)			
37 OR 01 73 1-HB2031 CH707	1-E 2		0253 1-
37 OR 02 73 1-HB2032	3-F 2		0254 1-
37 OR 03 73 1-HB2225	3-F 2		0255 1-
37 OR 04 73 1-HB2323	3-F 2		0256 1-
37 OR 05 73 1-HB2444 CH728	1-E 6		0257 2-
37 OR 06 73 1-HB2455 CH730	1-E 7		0258 2-
37 OR 07 73 2-SB11 CH327	1-E 6		0259 2-
37 OR 08 73 2-SB74 CH610	1-E 5		0260 2-

PENNSYLVANIA:

38 PA(07)			
38 PA 01 69 2-SB18	3-F 2		0261 4-
38 PA 02 71 5- MEMO449	8-U 6		0262 2-
38 PA 03 73 1-H288	5-0 2		0263 1-
38 PA 04 73 2-SB50	5-0 2		0264 2-
38 PA 05 73 2-SB689	5-0 2		0265 1-
38 PA 06 73 2-SB1006	5-0 2		0266 2-
38 PA 07 73 2-SB1007	5-0 2		0267 2-

RHODE ISLAND:

39 RI(02)			
39 RI 01 70 3- CH284	1-E 5		0268 1-
39 RI 02 73 1-HB5209	5-0 1		0269 1-

STATE YEAR BILL NO. STATUTE NO. STATUS ECE CATEGORIES**SOUTH CAROLINA:****40 SC(06)**

40 SC 01 67 1-HB1310	21-757	1-E 1	0270 4-
40 SC 02 69 3-	ACT349	1-E 2	0271 4-
40 SC 03 71 1-HB1083		1-E 2	0272 2-
40 SC 04 71 1-HB1365		9-M 1	0273 1-
40 SC 05 71 5-	EX.ORD.	8-U 5	0274 2-
40 SC 06 73 2-SB598	ARTX1	1-E 6	0275 1-

SOUTH DAKOTA:**41 SD(02)**

41 SD 01 72 1-HB662		3-F 3	0276 1-
41 SD 02 72 2-SB122		3-F 2	0277 1-

TENNESSEE:**42 TN(06)**

42 TN 01 70 4-	EX.ORD.	8-U 5	0278 2-
42 TN 02 72 1-HB1938		3-F 8	0279 1-
42 TN 03 72 2-SB310		3-F 1	0280 1-
42 TN 04 72 2-SB1262	CH842	1-E 1	0281 1-
42 TN 05 73 1-HB566	CH193	1-E 2	0282 1-
42 TN 06 73 4-	EX.ORD.	8-U 5	0283 2-

TEXAS:**43 TX(11)**

43 TX 01 70 1-HB240		1-E 1	0284 1-
43 TX 02 70 1-HB534		1-E 6	0285 1-
43 TX 03 71 2-SB80		1-E 9	0286 2-
43 TX 04 71 2-SB437	SEC12.04	1-E 2	0287 2-
43 TX 05 73 1-HB91		1-E 2	0288 1-
43 TX 06 73 1-HB367		1-E 5	0289 2-
43 TX 07 73 1-HB787		1-E 2	0290 2-
43 TX 08 73 1-HB1020		3-F 5	0291 1-
43 TX 09 73 1-HB1501		3-F 2	0292 1-
43 TX 10 73 2-SB294		3-F 5	0293 1-
43 TX 11 73 2-SB464		1-E 5	0294 2-

UTAH:**44 UT(02)**

44 UT 01 73 2-SB72	53.7-18(g)	1-E 5	0295 2-
44 UT 02 73 5-	PROPOSAL	8-U 5	0296 2-

VERMONT:**45 VT(03)**

45 VT 01 72 2-S98	NO207	1-E 5	0297 1-
45 VT 02 72 2-S154	NO243	1-E 6	0298 1-
45 VT 03 73 1-JRH42		1-E 4	0299 2-

STATE YEAR BILL NO. STATUTE NO. STATUS ECE CATEGORIES**VIRGINIA :**

46 VA(07)			
46 VA 01 70 1-HJR13		1-E 8	0300 1-
46 VA 02 72 1-H688	CH245	1-E 7	0301 1-
46 VA 03 72 1-H770	CH379	1-E 5	0302 1-
46 VA 04 72 2-SL43		1-E 5	0303 1-
46 VA 05 73 1-HB1681		3-F 2	0304 1-
46 VA 06 73 2-SB579		1-E 2	0305 1-
46 VA 07 73 2-SB677		3-F 2	0306 1-

WASHINGTON :

47 WA(03)			
47 WA 01 73 4-	EO73-04	8-U 5	0307 2-
47 WA 02 73 1-H5882		5-0 7	0308 2-
47 WA 03 73 1-H5885		5-0 6	0309 2-

WEST VIRGINIA:

48 WV(12)			
48 WV 01 70 1-HB689		3-F 6	0310 3-
48 WV 02 70 1-HB742		3-F 2	0311 3-
48 WV 03 70 1-HB743		1-E 2	0312 3-
48 WV 04 71 1-HB125		1-E 6	0313 3-
48 WV 05 71 1-HB818		3-F 2	0314 3-
48 WV 06 71 1-HB1091		3-F 2	0315 3-
48 WV 07 71 2-SB142		1-E 2	0316 3-
48 WV 08 71 2-SB205		3-F 2	0317 3-
48 WV 09 71 2-SB343	18-5-18	1-E 2	0318 2-
48 WV 10 71 4-	EX.ORD.5	8-U 5	0319 2-
48 WV 11 72 3-		1-E 2	0320 3-
48 WV 12 72 1-HB4		1-E 2	0321 3-

WISCONSIN:

49 WI(00)

WYOMING:

50 WY(04)			
50 WY 01 73 1-HB98		3-F 1	0322 1-
50 WY 02 73 1-HB230		3-F 4	0323 2-
50 WY 03 73 1-HB298		3-F 5	0324 2-
50 WY 04 73 2-SF122		3-F 2	0325 1-

Summary Statistics on ECE Policy Activity at the State Level:

- | | |
|--|-----|
| (1) Original 1970-1973 citations, based upon ECS inventories of ECE policy activity: | 130 |
| (2) Expanded 1970-1973 citations, based upon our project surveys of state ECE policy activity: | 150 |

SUBTOTAL: ECE policy data base for our selection
of the case studies:

339

280 citations

	Subtotal brought forward	280
(3)	Subsequent ECE citations, based upon our case study investigations of five states: CA, GA, NM, OH and WV:	32
(4)	Original pre-1970 citations, based upon ECS inventories of ECE policy activity:	13
TOTAL: ECE policy data base as a result of ECS and our surveys and case studies:		325 citations

IV. Survey Findings

The primary purpose of our surveys of the 50 states was to identify current ECE policy activity in order to select a comparable sample of ECE legislation for the five case study investigations. (See Chapter 11, III, p. 330ff.) Our findings about Early Childhood Education policy making at the state level will be based upon the intensive examination of these five case studies. (See Chapter 9: Comparative Case Study Analysis.) While our surveys were not designed for statistical analysis, i.e., to draw broad or extensive generalizations, some general observations can be gleaned from our surveys concerning state ECE policy activity between the 1970 and 1973 legislative sessions.

General Observations. There has been a major upswing in ECE policy activity at the state level. Between 1970 and 1973 legislative sessions, we identified a sevenfold increase, from 24 citations* in 1970 to 168 in 1973. Similarly, the number of states with ECE policy activity has grown steadily from 11 states in 1970, to 18 states in 1971, to 20 states in 1972 and to 42 states in 1973.

Our surveys demonstrate several indicators of the growth of state interest in ECE policy making. The mode of ECE activity among those states (with some activity over the four legislative sessions) has risen dramatically from one citation in 1970, 1971 and 1972 sessions, to more than five citations

*A citation refers to a legislative bill, statute or executive promulgation, such as an Executive Order.

in 1973. While the activity level of the median state was only one citation in 1970, it increased to two citations in 1971 and 1972, and it moved up to three citations in the 1973 legislative sessions. And finally, of the 42 active states in 1973, 81% (or 34 states) reported their highest level of ECE policy activity, i.e., the greatest number of initiatives, in this legislative session over the four years of our surveys.

Friendly Cautions. I would like to share several reservations about the limitations of the surveys of state legislation. First, from the experience of our five case studies, it is evident that much ECE policy activity has not been revealed by the existing inventories of state legislation, such as the Education Commission of the States' surveys (19)(20)(21)(22), nor by our own follow-up surveys of the states. In Ohio, New Mexico and West Virginia, we uncovered a long history of legislative initiatives, especially unsuccessful legislation, that had gone unreported prior to our in-depth case study examination of ECE policy making in these states. Secondly, the survey researcher is confronted with a major problem in determining the significance or impact of a piece of legislation from only a survey perspective. As our case studies demonstrate, it is not unusual for legislatures to enact "symbolic" legislation, e.g., HB 360, 1973, New Mexico and SB 672, 1974, Georgia both lacked the necessary appropriations for implementation. Thus, the simple reporting of legislative action often misrepresents the true status of the policy issue.

And thirdly, while surveys may assist the researcher in gaining a better understanding of legislative activity in a specific policy area, these techniques do not allow for drawing interpretations about the causes and

rationales for this legislative activity. It is our contention that "conclusions" (or what we refer to as "research assertions") about the political process can only be supported through the institution of intensive case study examination of this policy activity. In the classic study, Congress Passes a Law, Stephen Bailey advised that public policy should be seen as an aggregate, not as a simple production of the policy making process--"the interaction of ideas, institutions, interests, and individuals" (3:x).

This suggests that the expressed and the obvious may not, in fact, be the best explanation for a particular action. Therefore, survey researchers should be cautious in drawing interpretations from their survey data. For example, the Tanners (62) whose survey of state kindergarten legislation documents an upsurge of state activity following the inauguration of federal programs for Early Childhood Education in the mid-1960's, overstepped the limits of simple correlational analysis when they attempted to explain this upsurge in state activity in terms of two factors: the political pressure from middle-class people, the taxpayers, and Federal Elementary and Secondary Education Act, Title I and Head Start stimuli.

It may be concluded that kindergarten became part of the public schools in these states because middle class people, the taxpayers, wanted for their own children the advantages they were providing for children of the poor (62:52).

However, our case studies have demonstrated that the Tanners' assertions about the causal factors for state activity were incomplete and superficial at best. (For an in-depth examination of the findings of our comparative case studies of kindergarten legislation, see Part Two, Chapter 9.)

Survey of State Legislative Reference
Services

Attachment 10-1 Cover letter to state Legislative
Reference Services

Attachment 10-2 Legislative Request Questionnaire

Attachment 10-1
HEWITT RESEARCH CENTER

P. O. BOX 179, UNIVERSITY STATION
BERRIEN SPRINGS, MICHIGAN 49104
PHONE (616) 471-2211

October 31, 1973

Arizona Legislative Council
Harry Gutterman, Executive Director
324 State Capitol
Phoenix 85007

Dear Mr. Gutterman:

I am a doctoral student at Stanford University, School of Education, in the Administration and Policy Studies program. I have been selected as the Principal Investigator for a School Law Study focusing on Early Childhood Policy Making which is being supported by an Office of Economic Opportunity research grant through the Hewitt Research Center.

I am undertaking several in-depth case studies analyzing state legislative decision-making processes and the rationales for Early Childhood initiatives. In order to pick my sample of states, I will need an indicator of the intensity of past state legislative activity in the area of Early Childhood policy making; that is, a listing of the incremental changes in state laws over the past few legislative sessions. Through the invaluable assistance of Education Commission of the States' Department of Research and Information Services, I have constructed the following inventory of legislative bills or actions in your state, from the 1970 through the present (1973) legislative sessions.

I would therefore like to request that your office send me a copy of the individual legislative documents which I have listed on the attached questionnaire.

I would also appreciate your assistance in including any additional bills or actions that have recently been introduced in the 1973 session that pertain to State's School Entry laws for Early Education; i.e., proposed or enacted legislative change(s) in kindergarten, pre-school, day care, child development, handicapped, disadvantaged, or early childhood. I have provided space on the questionnaire for the listing of these additional citations.

Since this documentation must be collected before I can initiate the in-depth state case studies, I have established a dead-line for the survey. I would ask that the requested documents be mailed by Friday, December 7, 1973.

If there is any fee for this service, I will forward a remittance upon receipt of your billing or upon receipt of the documents.

Thank you for your kind assistance.

Cordially,

Pascal D. Forgione, Jr.

LEGISLATIVE REQUEST QUESTIONNAIRE

I would like to request that your office mail me a copy of the following State Legislative documents by Friday, December 7, 1973.

Since it is imperative that this survey of state legislative documents be processed in its entirety, I would ask that in filling this request that you complete the accompanying questionnaire. This will enable me to establish the reason for the absence of any document. In the case(s) where a document is not available from your office, might you indicate in the space provided on the questionnaire the name and address of another source or agency from which I might request the document.

PLEASE RETURN THIS QUESTIONNAIRE WITH THE DOCUMENT(S) THAT YOUR OFFICE CAN PROVIDE.

Send to: Mr. Pascal D. Forgione, Jr.
c/o Hewitt Research Center
P. O. Box 179, University Station
Berrien Springs, Michigan 49104

If you have any difficulties, please do not hesitate to contact me or Dr. Martha Lorenz, at the Hewitt Research Center, (616) 471-2211.

I thank you in advance for your kind assistance.

<u>STATE</u>	<u>YEAR</u>	<u>BILL NO.</u>	<u>STATUTE NO.</u>	<u>STATUS</u>
#1 AZ	1973	HB 2109		UNKNOWN

☐ We are able to provide this document.

☐ We are NOT able to provide this document because:

___ it is permanently out of print and unavailable.

___ it is temporarily out of print; it may be requested later. (_____)
 date

___ this citation is incorrect.

___ other reason: _____

The following agency might be able to provide this document:

<u>STATE</u>	<u>YEAR</u>	<u>BILL NO.</u>	<u>STATUTE NO.</u>	<u>STATUS</u>
#2 AZ	1973	HB 2283		UNKNOWN

- ☐ We are able to provide this document.
- ☐ We are NOT able to provide this document because;
- ___ it is permanently out of print and unavailable.
- ___ it is temporarily out of print; it may be requested later. (_____) date
- ___ this citation is incorrect.
- ___ other reason: _____

The following agency might be able to provide this document:

#3 AZ	1973	SB 1042		UNKNOWN
-------	------	---------	--	---------

- ☐ We are able to provide this document.
- ☐ We are NOT able to provide this document because:
- ___ it is permanently out of print and unavailable.
- ___ it is temporarily out of print; it may be requested later. (_____) date
- ___ this citation is incorrect.
- ___ other reason: _____

The following agency might be able to provide this document:

#4 AZ	1972	HB 2002		FAILED
-------	------	---------	--	--------

- ☐ We are able to provide this document.
- ☐ We are NOT able to provide this document because:
- ___ it is permanently out of print and unavailable.
- ___ it is temporarily out of print; it may be requested later. (_____) date
- ___ this citation is incorrect
- ___ other reason: _____

The following agency might be able to provide this document:

<u>STATE</u>	<u>YEAR</u>	<u>BILL NO.</u>	<u>STATUTE NO.</u>	<u>STATUS</u>
#5 AZ	1972	HB 2045		FAILED

- ☐ We are able to provide this document.
☐ We are NOT able to provide this document because;

___ it is permanently out of print and unavailable.
___ it is temporarily out of print; it may be requested later. (_____) date
___ this citation is incorrect.
___ other reason: _____

The following agency might be able to provide this document:

#6 AZ	1972	HB 2152		FAILED
-------	------	---------	--	--------

- ☐ We are able to provide this document.
☐ We are NOT able to provide this document because:

___ it is permanently out of print and unavailable.
___ it is temporarily out of print; it may be requested later. (_____) date
___ this citation is incorrect.
___ other reason: _____

The following agency might be able to provide this document:

#7 AZ	1972	SB 1041		FAILED
-------	------	---------	--	--------

- ☐ We are able to provide this document.
☐ We are NOT able to provide this document because:

___ it is permanently out of print and unavailable.
___ it is temporarily out of print; it may be requested later. (_____) date
___ this citation is incorrect
___ other reason: _____

The following agency might be able to provide this document:

<u>STATE</u>	<u>YEAR</u>	<u>BILL NO.</u>	<u>STATUTE NO.</u>	<u>STATUS</u>
#8 AZ	1971	SB 1	ACT 177	ENACTED

- ☐ We are able to provide this document.
☐ We are NOT able to provide this document because;

___ it is permanently out of print and unavailable.
 ___ it is temporarily out of print; it may be requested later. (_____) date
 ___ this citation is incorrect.
 ___ other reason: _____

The following agency might be able to provide this document:

THE SPACES BELOW ARE PROVIDED FOR ADDITIONAL CITATION(S):

- ☐ We are able to provide this document.
☐ We are NOT able to provide this document because:

___ it is permanently out of print and unavailable.
 ___ it is temporarily out of print; it may be requested later. (_____) date
 ___ this citation is incorrect.
 ___ other reason: _____

The following agency might be able to provide this document:

- ☐ We are able to provide this document.
☐ We are NOT able to provide this document because:

___ it is permanently out of print and unavailable.
 ___ it is temporarily out of print; it may be requested later. (_____) date
 ___ this citation is incorrect
 ___ other reason: _____

The following agency might be able to provide this document:

Survey of the Chief State School Officers

Attachment 10-3 Cover letter to CSSO

Attachment 10-4 Legislative Request Form

Attachment 10.-3-(1)
HEWITT RESEARCH CENTER
 P. O. BOX 179, UNIVERSITY STATION
 BERRICH SPRINGS, MICHIGAN 48104
 PHONE (810) 471-2211

October 31, 1973

Dr. Weldon Shofstall
 Superintendent of Public Instruction
 State Department of Education
 Phoenix, Arizona 85007

Dear Dr. Shofstall:

I am a doctoral student at Stanford University, School of Education, in the Administration and Policy Studies program. I have been selected as the Principal Investigator for a School Law Study focusing on Early Childhood Policy Making which is being supported by an Office of Economic Opportunity research grant through the Hewitt Research Center.

I am attempting, first, to obtain a cross-sectional snapshot of state legislation as of the present, September 1, 1973, with reference to state school entry laws (including Early Childhood legislation). This will establish the totality of the laws as they now exist in the states. The Education Commission of the States' Task Force on Early Childhood has encouraged me to pursue the collection of this presently diffuse legislative material.

I would therefore like to request that your office provide:

- (I) a copy of your state's law as it now exists, as of September 1, 1973, in the State (Education) Code or appropriate legal document; that is, a complete and total statement of your state school entry laws for early education (including early childhood legislation);

(As a guideline, I have surveyed your state code and I have found the following sections to be relevant. However, I am concerned that these sections may have been amended or that my source may not have been up-to-date.)

- (II) a validation of the completeness of my listing of the legislative bills or actions in your state;
- (III) assistance in identifying and, if possible, in providing any additional bills or statutes that have not been cited in parts I and II, but that pertain to State's School Entry laws for Early Education; i.e., proposed or enacted legislative change(s) in kindergarten, pre-school, day care, child development, handicapped, disadvantaged, or early childhood. I have provided room for these additional citations on the questionnaire.

A second component of this study involves a survey of major state policy initiatives in the areas of Early Childhood legislation; i.e., recent modification(s) in state school entry laws for early education. Since I am undertaking several in-depth case studies analyzing state legislative decision-making processes and the rationales for Early Childhood legislation, I need an indicator of the intensity of past

state legislative activity in the area of Early Childhood policy making in order to pick my sample of states.

Through the invaluable assistance of the Education Commission of the States' Department of Research and Information Services, I have constructed an inventory of legislative bills or actions in your state, from the 1970 through the present (1973) legislative sessions; that is, a listing of the incremental changes in state laws over the past few legislative sessions. I am presently requesting these legislative documents which are listed in Part II of the questionnaire from your state's Legislative Reference Service.

Since this documentation must be collected before I can initiate the in-depth state case studies, I have established a dead-line for processing the survey. I would ask that these documents be mailed by Friday, December 7, 1973.

If there is any fee for this service, I will forward a remittance upon receipt of your billing or upon receipt of the documents.

Thank you for your kind assistance.

Cordially,

Pascal D. Forgione, Jr.

LEGISLATIVE REQUEST FORM

321

I would like to request that your office mail me a copy of the following State Legislative documents by Friday, December 7, 1973.

Since it is imperative that this survey of state legislative documents be processed in its entirety, I would ask that in filling this request that you complete the accompanying questionnaire. In the case(s) where a document is not available from your office might you indicate in the space provided on the questionnaire the name and address of another source or agency from which I might request the document.

PLEASE RETURN THIS QUESTIONNAIRE WITH THE DOCUMENT(S) THAT YOUR OFFICE CAN PROVIDE.

Send to: Mr. Pascal D. Forgione, Jr.
c/o Hewitt Research Center
P. O. Box 179, University Station
Berrien Springs, Michigan 49104

If you have any difficulties, please do not hesitate to contact me or Dr. Martha Lorenz, at the Hewitt Research Center, (616) 471-221.

I thank you in advance for your kind assistance.

- (I) A copy of your state's law as it now exists, as of September 1, 1973, in the State (Education) Code or appropriate legal document; that is, a complete and total statement of your state school entry laws for early education (including early childhood legislation).

I have surveyed your state code and I have found the following sections to be relevant: Arizona Revised Statutes, Annotated 1956:

15-102(13)	15-442
15-123	
	15-836
15-301	15-837
15-302	
	15-1018
15-321 through 15-325	
15-328	23-241(A)
15-329	23-241(2)
	23-242
	23-246

(II) A validation of the completeness of my listing of the legislative bills or actions in your state:

<u>STATE</u>	<u>YEAR</u>	<u>BILL NO.</u>	<u>STATUTE NO.</u>	<u>STATUS</u>
*#1 AZ	1973	HB 2109		UNKNOWN
*#2 AZ	1973	HB 2283		UNKNOWN
*#3 AZ	1973	SB 1042		UNKNOWN
*#4 AZ	1972	HB 2002		FAILED
*#5 AZ	1972	HB 2045		FAILED
*#6 AZ	1972	HB 2152		FAILED
*#7 AZ	1972	SB 1041		FAILED
*#8 AZ	1971	SB 1	ACT 177	ENACTED

*I have REQUESTED this document from your Legislative Reference Service since I have the proper legislative citation.

**I have NOT REQUESTED this document since I have been unable to locate the appropriate legislative citation. I would appreciate your assistance in providing the citation and document.

LEGISLATIVE REQUEST FORM

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- (III) Assistance in identifying and, if possible, in providing additional bills or statutes that have not been cited in Parts I or II, and that pertain to State's School Entry laws for Early Education; i.e., 1973 proposed or enacted legislative change(s) in kindergarten, pre-school, day care, child development, handicapped, disadvantaged, or early childhood.

Additional citations may be listed below and a copy or xerox of these documents would be most helpful.

<u>STATE</u>	<u>YEAR</u>	<u>BILL NO.</u>	<u>STATUTE NO.</u>	<u>STATUS</u>
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Chapter 11:

**Research Methodology: Criteria of Selection,
Classification of Legislation, Selection Process
and Case Study Methodology**

by

Pascal D. Forgione, Jr.
Stanford University

I. Criteria of Selection of Target States

This investigation of ECE policy making was conducted in terms of two critical limitations: First, the practical need to develop a strategy that could be effectively operationalized within a limited budget, and secondly, the lack of a conceptual foundation of prior policy research on which our efforts could be modeled.

Since a national policy investigation of the fifty states was beyond our capabilities, due to both fiscal and time constraints, we decided to concentrate our attention on a limited set of five states for an exploratory analysis. Obviously, the study would have been improved if it had included a larger sample of states, i.e., twelve (12). We rest our case on the defense, as did Masters et al., (49:11),* that our study was largely exploratory in purpose.

We endeavored to address the conceptual problem by establishing two sets of criteria for selecting our five target states: First, three policy criteria provided a common focus for our analysis, and secondly, a set of political indicators served to insure that our target states demonstrated sufficient diversity for comparative purposes.

First Set of Criteria: Policy Selection Criteria

Because of the exploratory nature of this comparative political study--a lack of prior investigation and of a general theory of politics--

*We are using the author and number reference format. See Chapter 12: Selected Bibliography.

and in view of the wide diversity of ECE outputs, we established three policy-selection criteria which were ranked in the order of their importance and application in our selection process:

- (1.1) The criterion of comparability;
- (1.2) The criterion of significance;
- (1.3) The criterion of consideration.

We recognized that there were at least two strategies that would satisfy the objectives of our study. We could have studied a set of states that represented substantially different ECE policy outputs, or we could have concentrated our analysis on one type of ECE output. The former strategy, which might be labeled the "shopping cart" approach, would have allowed us to select a sampling of states which represented a broad range of ECE legislation. While the advantages of this strategy lay in its diversity and its appeal to a wider audience, it presented a number of conceptual problems. Most notably, since each case would have been an example of a different ECE output, this approach would not have offered a common base for comparative analysis. Thus, we elected to concentrate our analysis on a common ECE output.

Criterion of Comparability. This standard helped us to avoid the problem of "representativeness" of our sample by focusing our investigation on a set of states that have initiated a common policy output, that is, one particular type of early childhood education legislation. It addressed the conceptual concerns by establishing a comparable framework for contrasting the individual political systems. This made it possible for us to address the concerns of an audience of educational policy makers who are seeking some understanding about the initiation and formulation of

ECE policies. It was our intention that these individual cases would establish a modest but welcomed first step toward a better understanding of early childhood education policy making.

Criterion of Significance. The second criteria reflected a belief that a major commitment of the state's authority in a particular policy area was a most reliable indicator that a particular piece of legislation was indeed a fertile choice for analysis. We defined this standard in one of two ways: either (a) the state required the mandatory offering of an ECE service by local districts or (b) the state appropriated substantial categorical funds for the education of young children.

Criterion of Consideration. We wished to insure that there was sufficient documentation available for reconstructing the policy drama. We then established a third policy standard that would offer as a guarantee that a particular piece of legislation has been accorded at least minimum legislative attention. We would only consider those initiatives that either (a) had been enacted into law or (b) had received formal consideration by the legislature.

In addition, we sought to expand our understanding of ECE policy making by including in the selection of our five target states, one state where the particular early childhood output had failed, rather than devoting our attention to only successful initiatives. By exploring the context of failure, we sought to improve our basic knowledge in this policy area. This strategy, hopefully, would illuminate the similarities and differences in the policy making experiences of our target states.

Therefore, in this study we concentrated on a set of states that had proposed a common type of an early childhood output which could be rated as

significant legislation that had received sufficient consideration by their respective state legislatures.

Second Set of Criteria: Indicators of Comparative State Politics

We reviewed the previous research of the factors of general and state policy making, Key (35), Lockard (44), Elazar (23), Hofferbert (30), Sharkansky (59), Hofferbert and Sharkansky (31), Wirt and Kirst (67), Ziegler and Johnson (68), and Mazzoni and Campbell (50). In view of the comparative purposes of our study, we identified in the research literature four critical components in state legislative decision making or policy formulation. We assumed that (a) the environment, (b) the character of the inputs, (c) the structural and technical capacities of the conversion processes, and (d) the form of previous policy outputs were the critical factors in a state's legislative decision-making process, i.e., a state's decision to initiate or not to initiate a particular public policy, such as early childhood reform.

From this review of the literature on state policy making, we then developed our second set of criteria, the indicators of comparative state politics, that formed a standard for evaluating the diverseness of our selected five states. The following listing includes thirteen indexes that we selected as appropriate measures of comparative state politics:

(a) Environmental Measures

- 2.1 Sharkansky's Regional-Geographic Demarcations (1970) (59)
- 2.2 Sharkansky-Elazar Political Culture Index (1968) (58)
- 2.3 Hofferbert's Affluence Index (1960-1970) (29)
- 2.4 Urbanization Index (1970) (52)
- 2.5 Zeigler-Johnson Progressive Liberalism Index (1971) (68)

(b) Input Measures

- 2.6 Lockard's Party Integration Index (1968) (45)
- 2.7 Sharkansky-Hofferbert Competition-Turnout Index (1969) (60)

(c) Conversion Process Measures

- 2.8 Citizen's Commission on State Legislatures
Technical Capacity of State Legislatures Index (1970) (12)
- 2.9 Francis' Centralization Index (1967) (27)
- 2.10 Schlesinger's Combined Index of Governor's Formal Powers
(1971) (57)

(d) Output Measures

- 2.11 Walker's Innovation Index (1969) (65)
- 2.12 Sharkansky-Hofferbert's Welfare Education Index (1969) (60)
- 2.13 State Support Index (1970-1971) (52)

After we had identified our sample of ECE legislation that met our three policy selection criteria, we then proceeded to plot the eligible states on these measures of comparative state politics in order to ensure that our five selected cases did reflect sufficient breadth and diversity for our comparative purposes.

II. Survey and Classification of State Legislation

The selection of our cases was implemented in two steps. First, we surveyed all fifty states in order to secure an up-to-date inventory of the early childhood policy activity of each state. We then secured and individually reviewed each piece of legislation prior to the selection of our target states. (See Chapter 10--Research surveys of early childhood education legislation for more details.)

Our second step involved the classification of this legislation into appropriate ECE policy categories. These following five categories represented the principal investigator's attempt to lay out the basic ECE

policy alternatives. Based upon our criterion of comparability, our ECE investigation would focus on only one of the following policy areas:

- a. Primary/Elementary--reform directed primarily toward changes in elementary schooling.
- b. Kindergarten--programs primarily for five-year-olds.
- c. Preschools--programs for four-year-olds/younger children up to four years.
- d. Early Development--programs primarily aimed at providing a wide range of services to children from the earliest years (through eight years).
- e. Day Care--programs which provide part-time care for children in the absence of their parents.

III. Selection of Our Five Cases

Selection of Target ECE Legislation. Our survey did turn up examples of all five categories of ECE outputs (see Chapter 10, III, p. 298ff, for detailed listing of state ECE legislation). Among the 280 ECE references, there were 26 primary/elementary, 69 kindergarten, 23 preschool, 69 early development and 33 day care citations. After an intensive review of each individual piece of legislation in the five policy categories, only one option, kindergarten, fulfilled our three policy selection criteria--comparability, significance and consideration. Of the 60 kindergarten citations, we identified 15 examples of legislation for 5-year-olds that fulfilled our second and third criteria--legislative initiatives that were of a significant and visible nature.* Upon further investigation with the

*Arkansas, 1973; California, 1972; Florida, 1972; Georgia, 1972; Georgia, 1973; Minnesota, 1973; Montana, 1973, New Mexico, 1973; New York, 1973; North Carolina, 1973; Ohio, 1973; Oregon, 1973; Pennsylvania, 1973; Texas, 1973; and West Virginia, 1971.

respective state officials of the states involved, we selected our five cases. (See Tables 11-1.1, 11-1.2, and 11-1.3, p. 338ff.)

We then plotted the five states according to our indicators of comparative state politics (see Tables 11-2.1 through 11-2.13, p. 342ff) which are based on indexes drawn from the most prominent political research literature). As indicated in the tables, the five target states did demonstrate sufficient distribution for our comparative purposes according to those thirteen political indexes.

Therefore, we proposed an exploratory analysis of early childhood education policy making that investigated five selected states that had initiated kindergarten legislation between the 1971-1973 legislative sessions. We selected the following legislation for analysis: West Virginia, Senate Bill 343, 1971; California, Senate Bill 1302, 1972; New Mexico, House Bill 360, 1973; Ohio, House Bill 159, 1973; and Georgia, House Bill 421, 1973.*

California: Far West. The selection of California was a product of a number of factors. First, in the role of a "leader among states," California presented an attractive opportunity to investigate a unique piece of ECE legislation which attempted to restructure the total early education experience. K through 3 (comparability criterion). Secondly,

*In the interim between selecting our cases and the field research in Georgia, we were informed that HB 421 (1973) was only a stage in a broader policy drama. Therefore, we expanded this case study to include integral pieces of legislation: Senate Bill 676 (1972) which enacted an Early Childhood Development (ECD) program that set the stage for the introduction of HB 421; Senate Bill 672 (1974), the Adequate Program for Education in Georgia (APEG) legislation, which was a comprehensive education plan that provided an authorization for kindergarten for all 5-year-olds; and House Bill 170 (1975), the budget bill, that included a line-item appropriation for state-wide kindergarten.

this 1972 legislation encompassed a significant percentage of the "new policy dollars" appropriated by the legislature for education (significance and consideration criteria). And pragmatically, there was need to establish an accessible case for testing and evaluating our research instruments and methodology. The proximity of Sacramento offered this advantage.

Ohio: Great Lake. This 1973 mandatory kindergarten provision was the only example of ECE policy in the Great Lakes area and the only substantial initiative in the whole North Central area (see Table 11-2.1, Map III, p. 342). All districts were to comply immediately (1973-74) and the state was to underwrite the cost of this program.

West Virginia: Southeast (Border State). This illustrated an early (1971) successful initiative which provided for both mandatory kindergarten and permissive preschool authorization. It provided us with an opportunity to investigate a potential federal influence in ECE policy formulation, i.e., the role of the Appalachian Regional Commission. It was effective in 1972-73.

New Mexico: Southwest. This 1973 ECE initiative required the establishment of educational experiences for all five-year-olds. This program was to be funded by the state in phases over the next four years (deadline 1977).

Georgia: Southeast. This legislation (HB 421, 1973) presented a unique opportunity to move our policy investigation one step forward. It provided for the consideration of a policy quality that was not exemplified in our first four selections, namely, an investigation of a significant, but unsuccessful mandatory kindergarten initiative. From a

comparative policy perspective, this was an excellent opportunity for comparing and contrasting the reasons for the success/failure of a common ECE output.

Major Limitations in the Selection Process. Our policy study was commissioned as a national investigation of ECE policy making, both according to the intent of the sponsoring agency, the United States Office of Economic Opportunity and by the methodology selected by the principal researchers, that is, the comparative case study approach of early childhood policy making at the state level. Therefore, we endeavored within the constraints of our pool to select a geographically diverse set of states. It should be pointed out, however, that certain regions were very conspicuous by their lack of substantive ECE activity, specifically, New England, the Plains, the Mountain and the Middle Atlantic states. (See Table 11-2.1, Map II, p. 342.) Outside of one major day care act in Massachusetts, ECE was an inactive issue in New England during this period. Only marginal enactments surfaced in the Plains (Minnesota) and Mountain states (Montana). In the middle states, lack of success was the most characteristic quality of ECE efforts. Nonetheless, despite the geographic limitations of our data base, our final selection (five cases) does illustrate a healthy diversity when plotted on Sharkansky's regional demarcation maps (see Table 11-2.1).

IV. Case Study Methodology

The focus of our comparative political analysis was upon the policy decisions--what happens to an idea between the time it is conceived and

the time it becomes the law of the state. Our approach closely paralleled that developed in the Inter-University Case Program in which the case is first of all a history, usually limited to a relatively brief span of time in months and years. It is assumed that the drama itself can be studied or described as having a beginning and an end (51:IX-XX).

Description of Data to be Collected. A critical feature of a comparative methodology centered upon the question, What safeguards has the researcher taken to ensure a uniform focus on the dynamics of reform? Kirst (39) cautioned us to standardize key components of the case studies in order to ensure the primary investigation of the same issue. Each of our five selected cases focused on a specific piece of comparable ECE legislation and were guided by a detailed description of the types or categories of data that need to be collected in order to answer the core of research questions formulated for our policy investigation (see Attachment 11-3, p. 356.) These questions followed an analytical framework most recently utilized by Berke and Kirst in their examination of the politics of state school finance reform (7), and they have been modified for our policy study of the ECE issue.

Sources of Data. Our policy investigations concentrated on those appropriate decisions that were ultimately approved in the legislative arena. The study required on-site interviewing of critical actors who were involved in the policy making process. However, prior to our seven-day visit to each state, a thorough review of the political literature of the five selected states was completed at Stanford University. This involved the use of secondary sources on such political factors as

political culture, socioeconomic conditions and governmental institutions of the particular states. During our state visits, we interviewed political officials of the executive and legislative branches, state Department of Education, professional organizations, citizens groups and others. The types of data collected ranged from personal testimony of the principal policy makers and their staff, to available written documentation, e.g., speeches, reports, committee hearings, testimony, interest group publications, and newspaper material. We also analyzed previous legislation and recommendations by constitutional officers, e.g., the Governor, State Board of Education, chief state school officer, appropriate legislative leaders and reference groups.

Method of Data Collection. Prior to our state visits, principal policy sources were identified for the purposes of determining a list of principals to be interviewed. In turn, we requested that each of these individuals provide us (independently) a list of: (1) notable participants in this legislation; (2) relevant documents, reports, hearings, etc.; and (3) formal groups involved (see Attachments 11-4, p. 357 and 11-5, p. 359). Through this configuration-building approach, we hoped to avoid insulting ourselves into one perspective on an issue.

Our on-site interviewing utilized the techniques illustrated in Lewis Dexter's Elite and Specialized Interviewing (16). The interviews had two components: An open-ended phase in which we allowed the interviewee to detail his commentary about the particular ECE legislative initiative, and a structured phase in which we sought the individual's responses to a common set of questions (see appendix 11-6). This structured phase

provided us with an opportunity to compare the perceptions of each policy maker so that we could discriminate the areas of possible discrepancy and inaccuracy in an individual testimony.

Field Research. Between February and June 1974, the principal investigator and the co-investigator spent one week in each of the five selected states conducting their field research. They both interviewed 106 state policy officials. Subsequently, extensive telephone contacts and correspondence were made with state officials in order to clarify and validate the field data and written case studies.

Identification of Project Researchers.

Principal Investigator:

Pascal D. Forgione, Jr.
Ph.D. candidate
Administration and Policy Analysis
School of Education
Stanford University

Presently, Administrator
Maryland Accountability Program
Division of Research, Evaluation and Information Systems
Maryland State Department of Education
Baltimore Maryland 21240

Co-Investigator:

Rudolph S. Marshall, Jr.
Ph.D. candidate
Administration and Policy Analysis
School of Education
Stanford University

Consultants:

Michael Derkowitz
Ph.D. candidate
History of Education
School of Education
Stanford University

Dr. Michael W. Kirst
Associate Professor of Education and Business
Stanford University

Selected States Ranked According to the First
Set of Criteria: Policy Selection Criteria

Table 11-1.1 Legislation according to
comparability criterion.

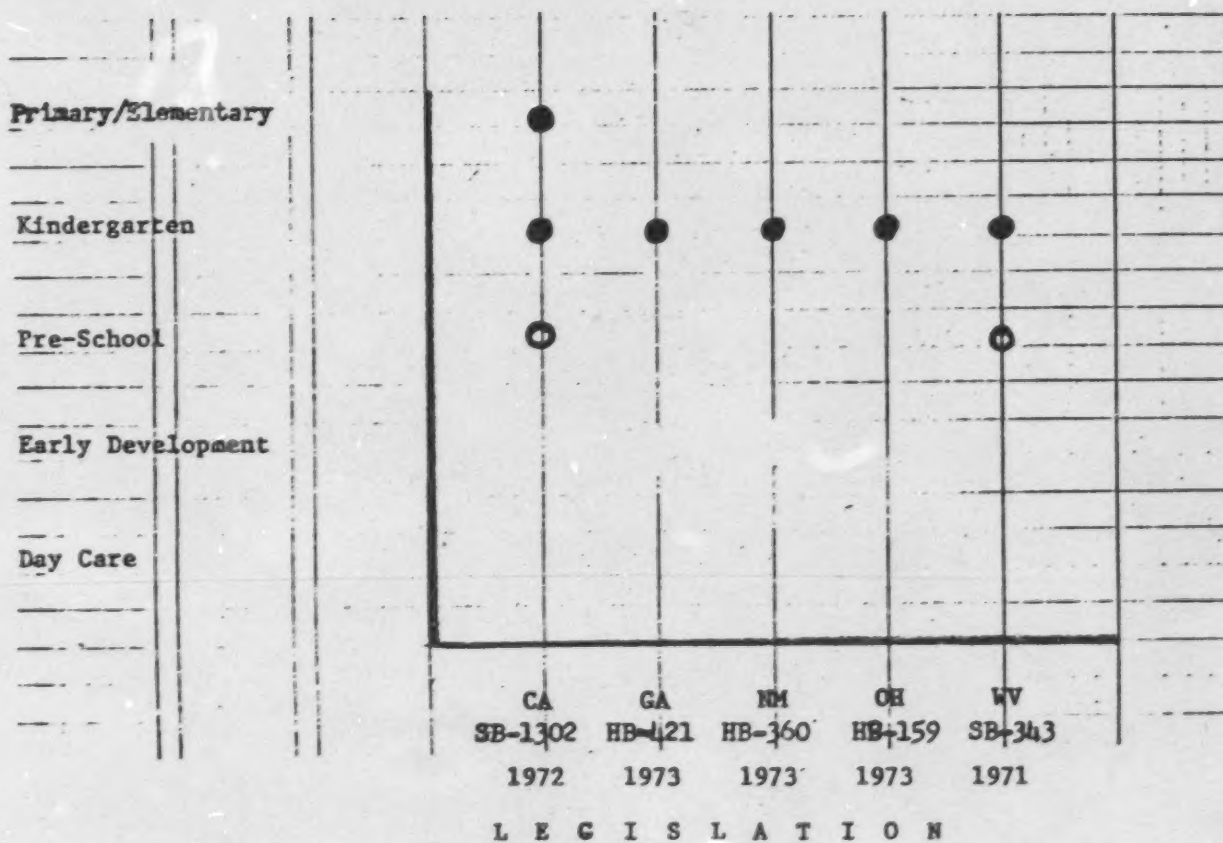
Table 11-1.2 Legislation according to
significance criterion.

Table 11-1.3 Legislation according to
consideration criterion.

Table 11-1.1

Legislation according to the Comparability criterion: Policy Classification Index

EARLY CHILDHOOD EDUCATION POLICY CATEGORIES



•	= Primary Designation
○	= Secondary Designation

Table 11-1.2

Legislation according to the Significance criterion:
Policy Importance Index

MAJOR COMMITMENT OF THE STATE'S AUTHORITY

S T A T E S	E N A C T E D	Mandatory Offering ("Shall")		Major Appropriation ("dollars")				
		N M HB-360 1973						
		O H HB-159 1973		C A SB-1302 1972				
		W V SB-343 1971						
	F A I L E D	G A HB-421 1973						

Table 11-1.3

Legislation according to the Consideration criterion:
Policy Status Index

POLICY STATUS										
	WV	CA	OH	NM	GA					
Enacted	SB-343 1971	SB-1302 1972	HB-159 1973	HB-360 1973	HB-421 1973					
Vetood										
Failed										
Carryover										
Other										

L E G I S L A T I O N

Selected States According to Our Second Set
of Criteria: Indicators of Comparative State
Politics

Tables 11-2.1 through 11-2.5 Environmental measures

Tables 11-2.6 through 11-2.7 Input measures

Tables 11-2.8 through 11-2.10 Conversion process measures

Tables 11-2.11 through 11-2.13 Output measures

Table 11-2.1

Sharkansky's Regional-Geographic Demarcations (1970) (59)*

OPTION ONE:

Map II. A Regional Demarcation with Eight Groupings

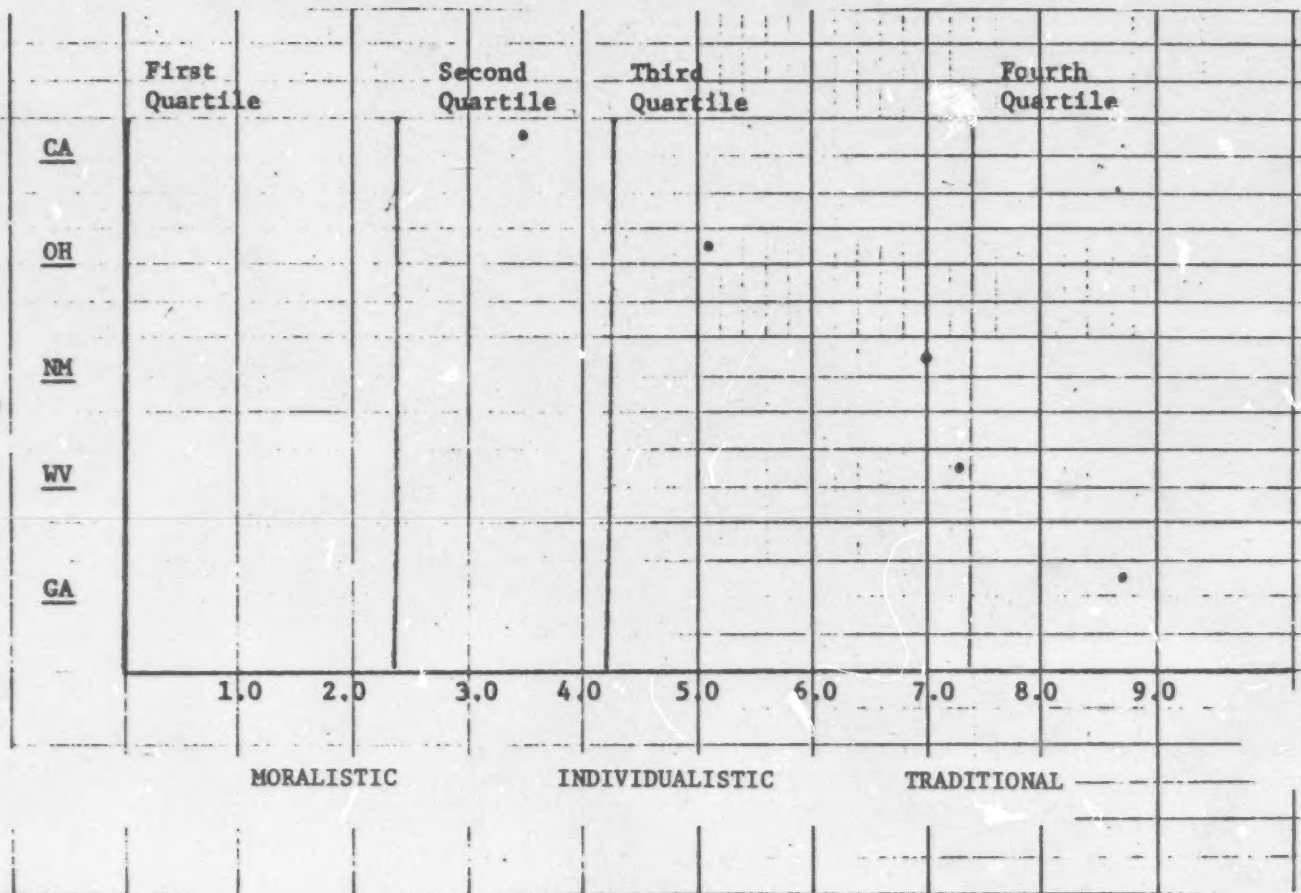
OPTION TWO:

Map III. A Regional Demarcation with Four GroupingsMap IV. Additional Regions: "Border States"

*We are using the author and number reference format. See Chapter 12: Selected Bibliography.

Table 11-2.2

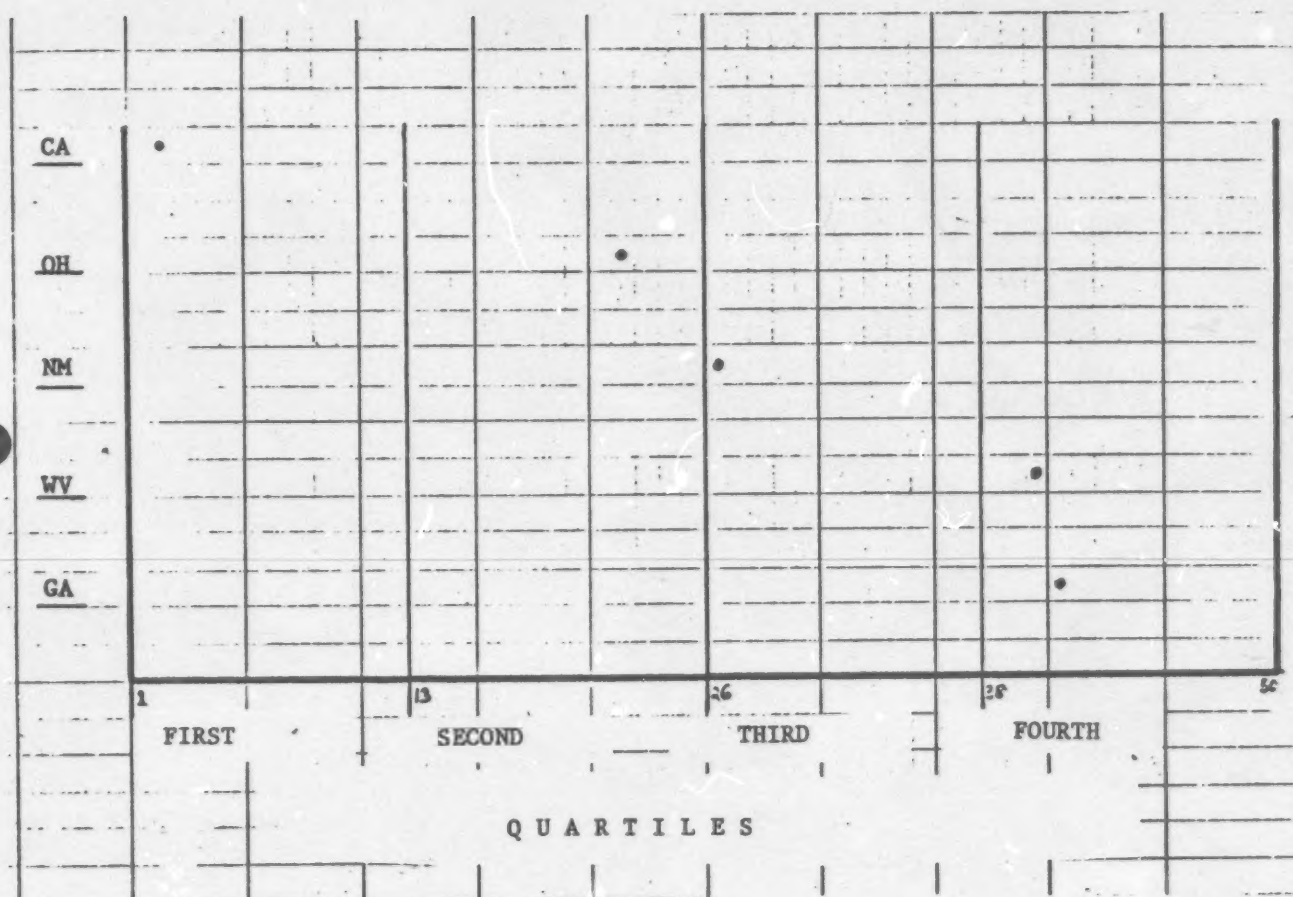
Sharkansky-Elazar Political Culture Index (1968) (58)*



*We are using the author and number reference format. See Chapter 12:
Selected Bibliography.

Table 11-2.3

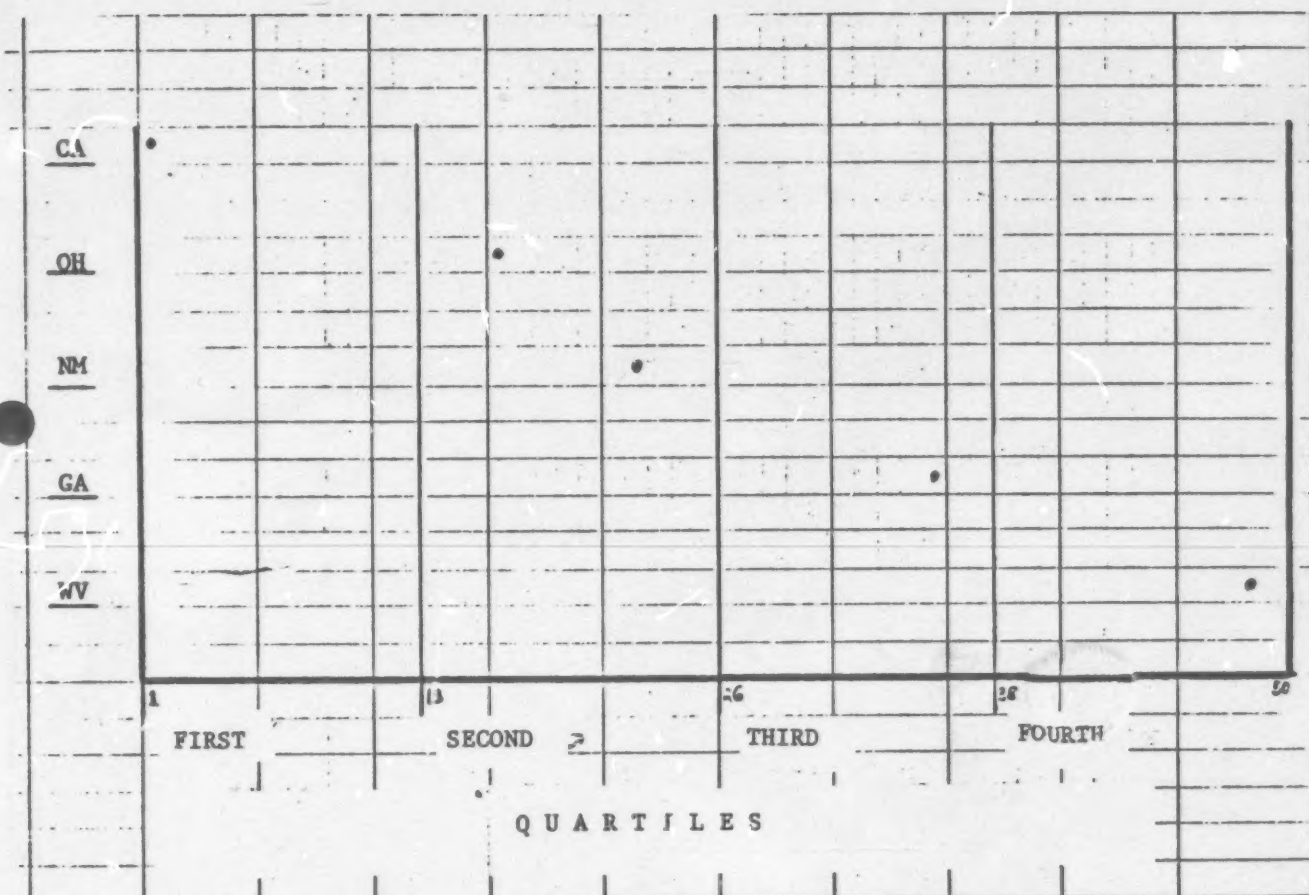
Hofferbert's Affluence Index (1960-1970) (29)*



*We are using the author and number reference format. See Chapter 12: Selected Bibliography.

Table 11-2.4

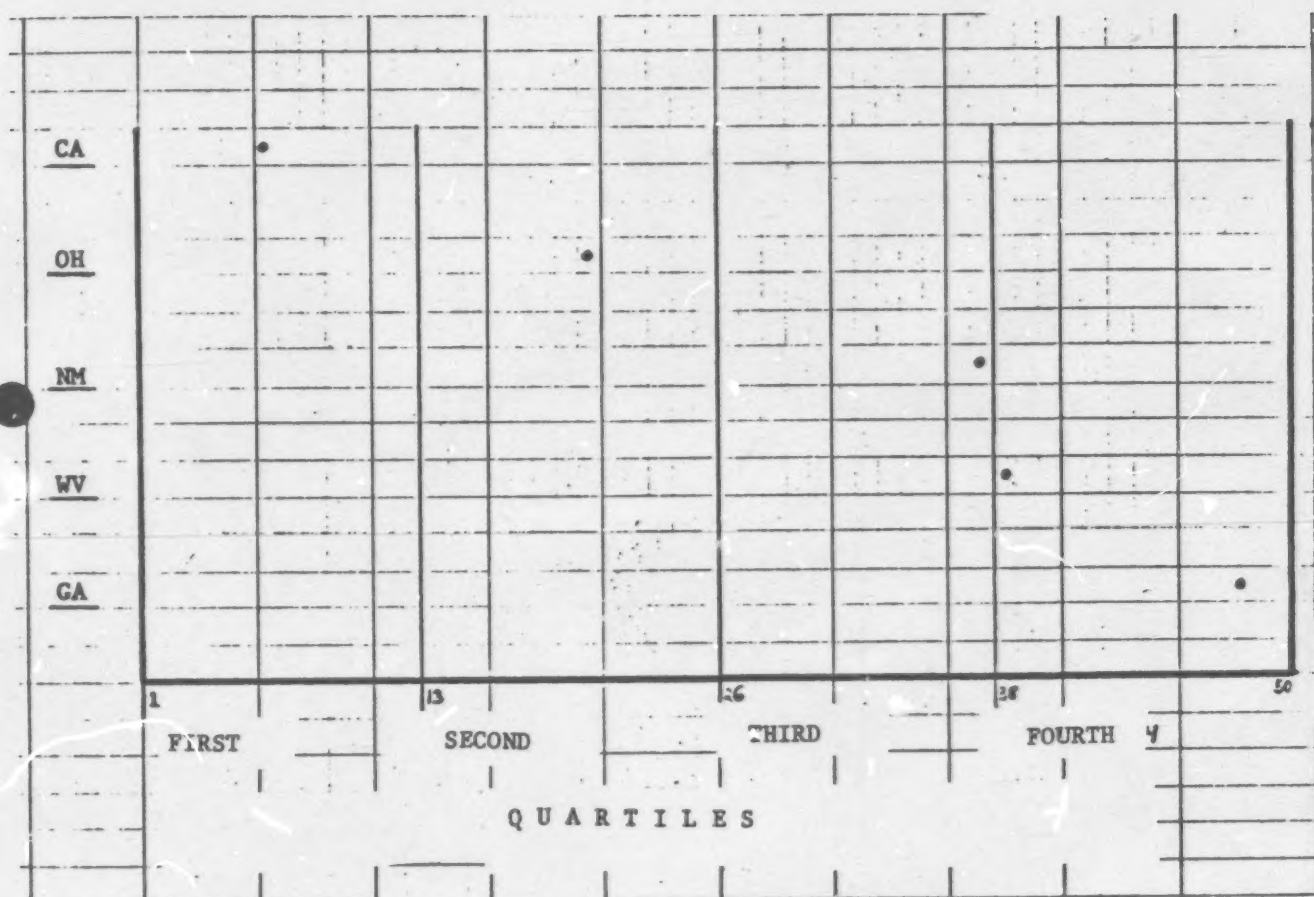
Urbanization Index (1970) (52)*



*We are using the author and number reference format. See Chapter 12: Selected Bibliography.

Table 11-2.5

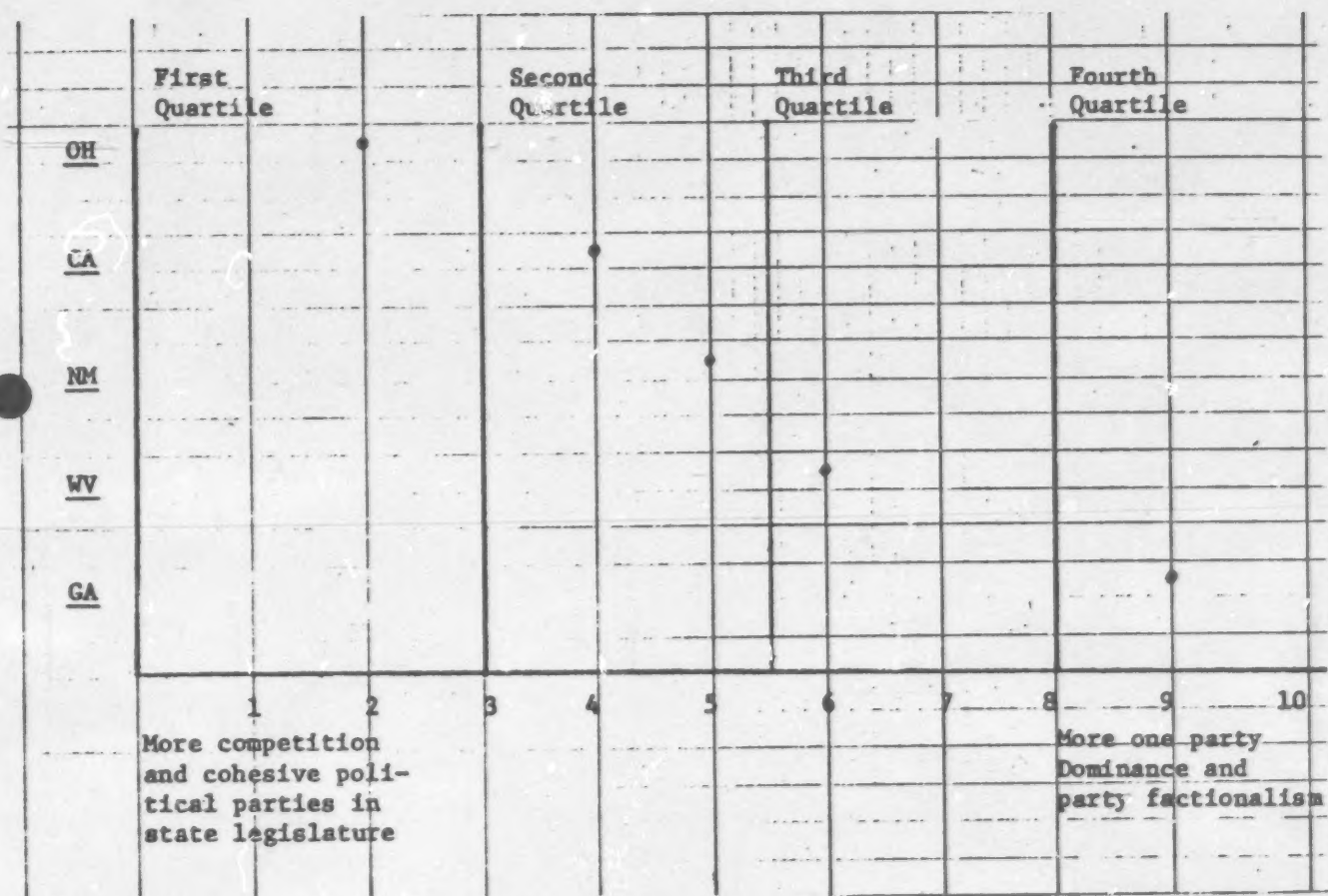
Zeigler-Johnson Progressive Liberalism Index (1971) (68)*



*We are using the author and number reference format. See Chapter 12:
Selected Bibliography.

Table 11-2.6

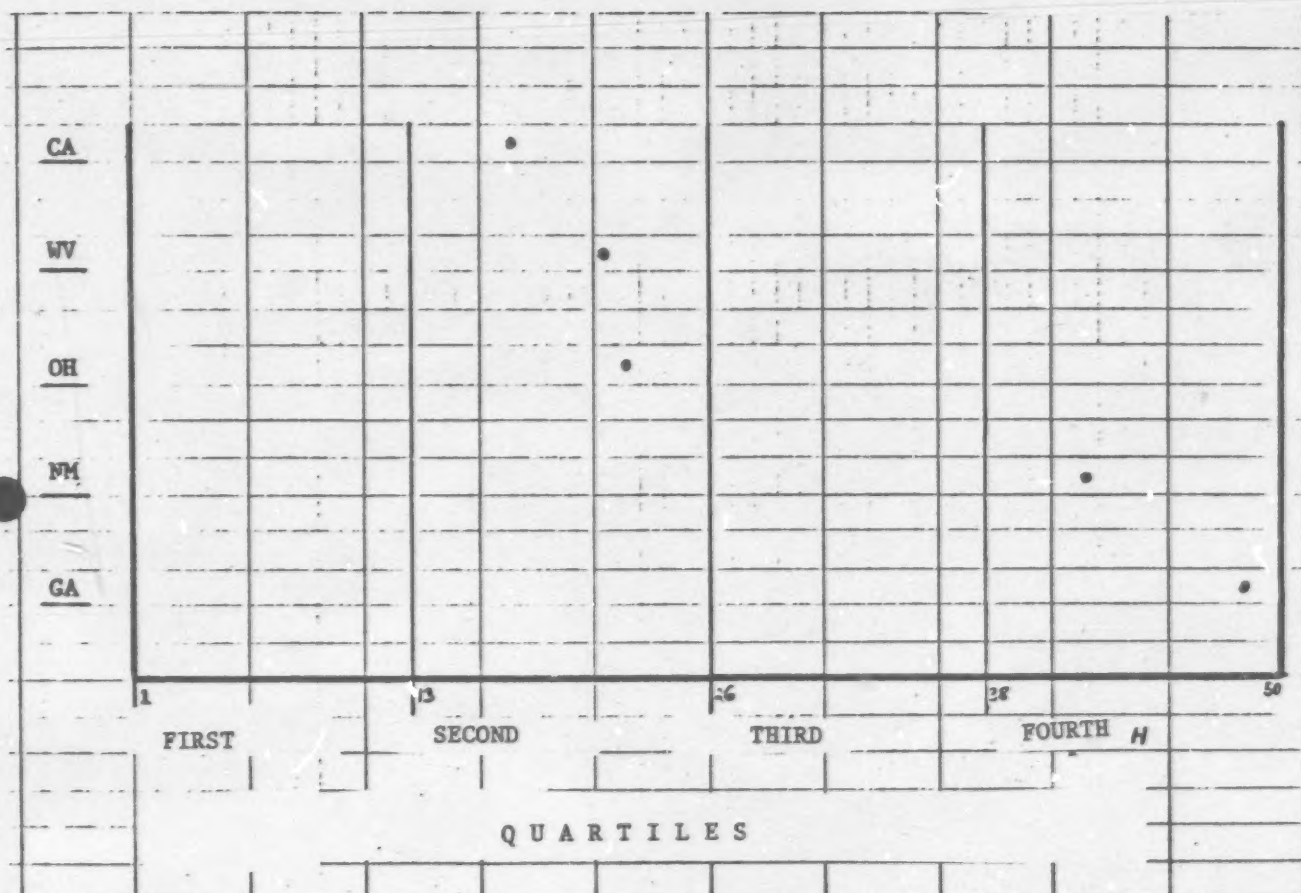
Lockard's Party Integration Index (1968) (45)*



*We are using the author and number reference format. See Chapter 12: Selected Bibliography.

Table 11-2.7

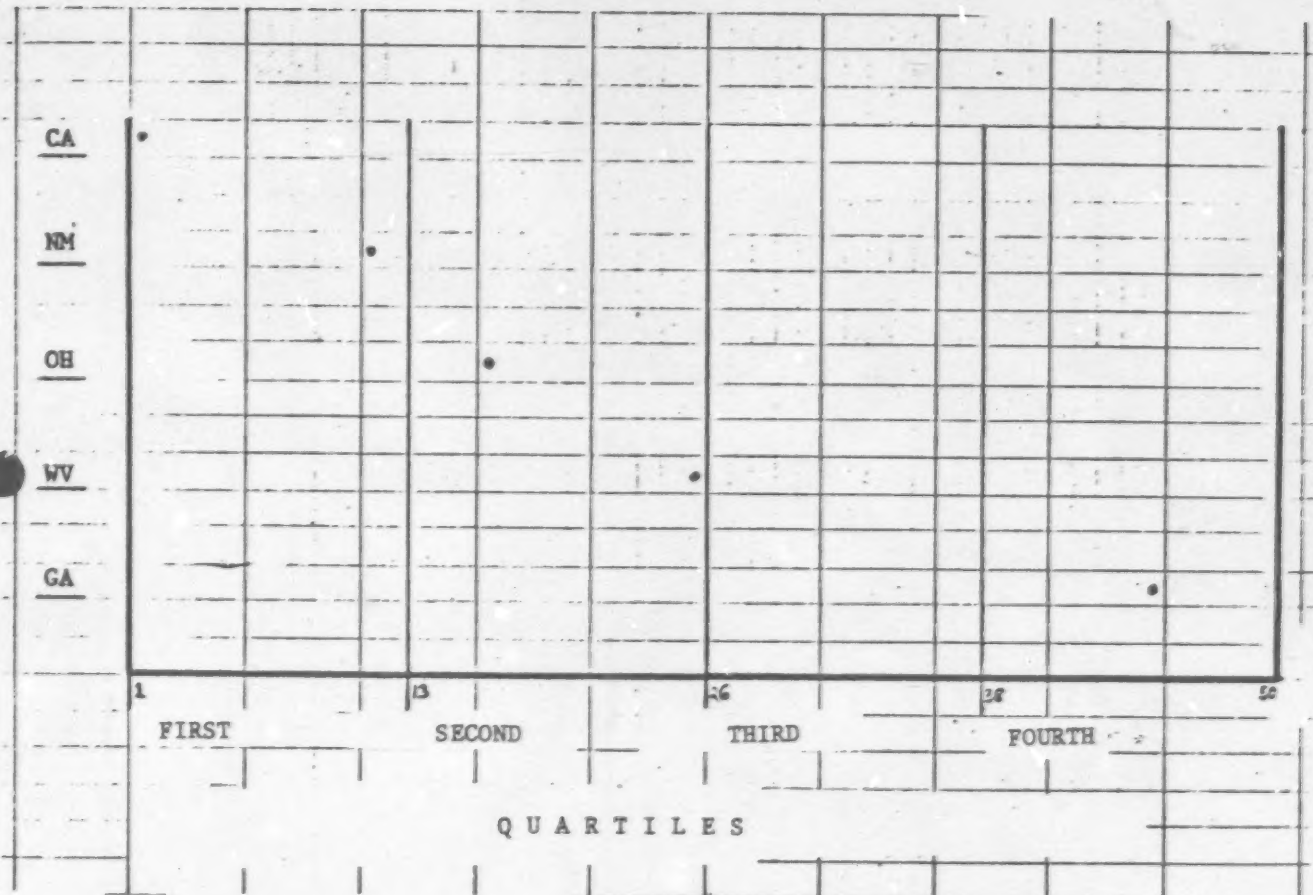
Sharkansky-Hofferbert Competition-Turnout Index (1969) (60)*



*We are using the author and number reference format. See Chapter 12:
Selected Bibliography.

Table 11-2.8

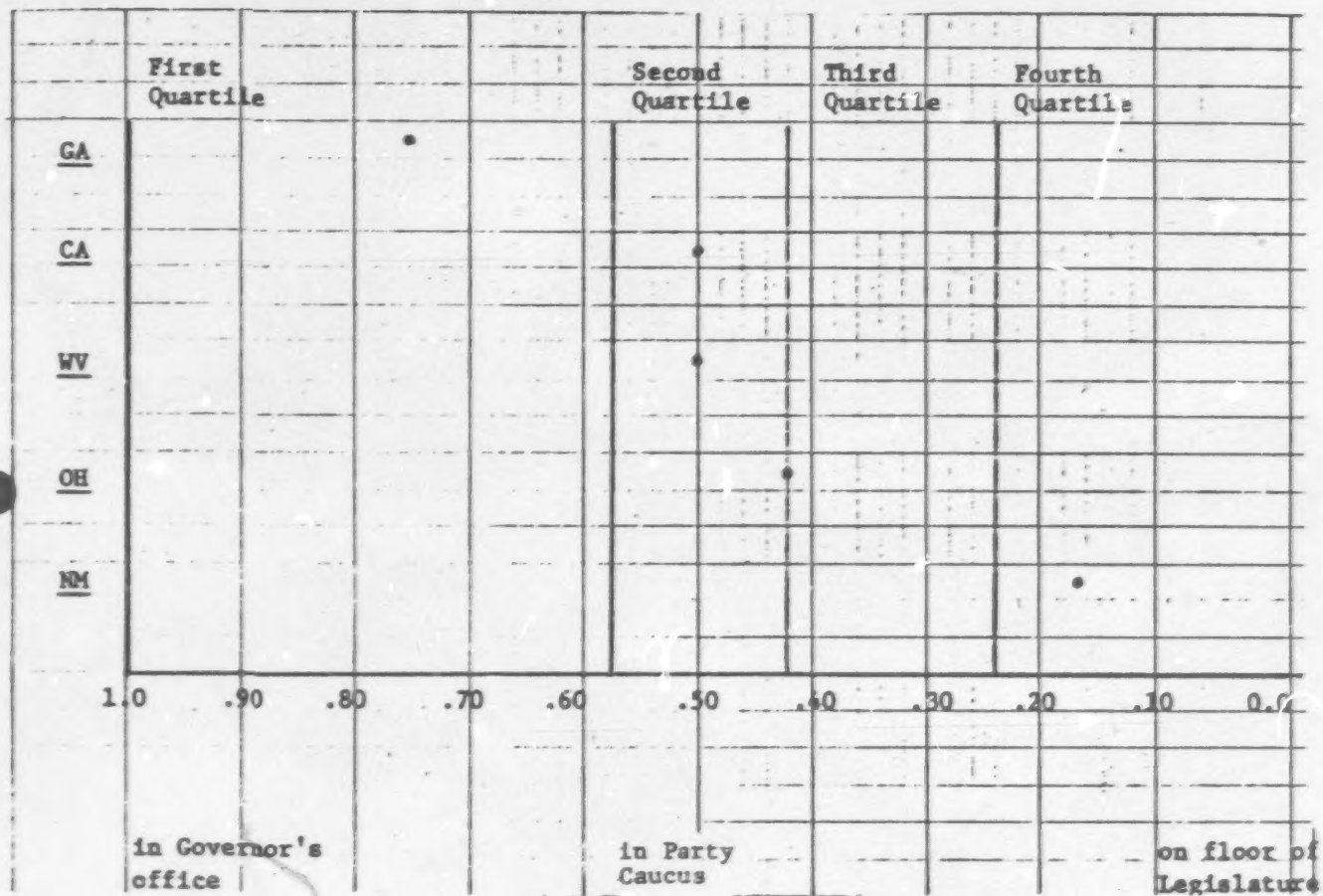
Citizen's Commission on State Legislatures, Technical
Capacity of State Legislatures Index (1970) (12)*



*We are using the author and number reference format. See Chapter 12:
Selected Bibliography.

Table 11-2.9

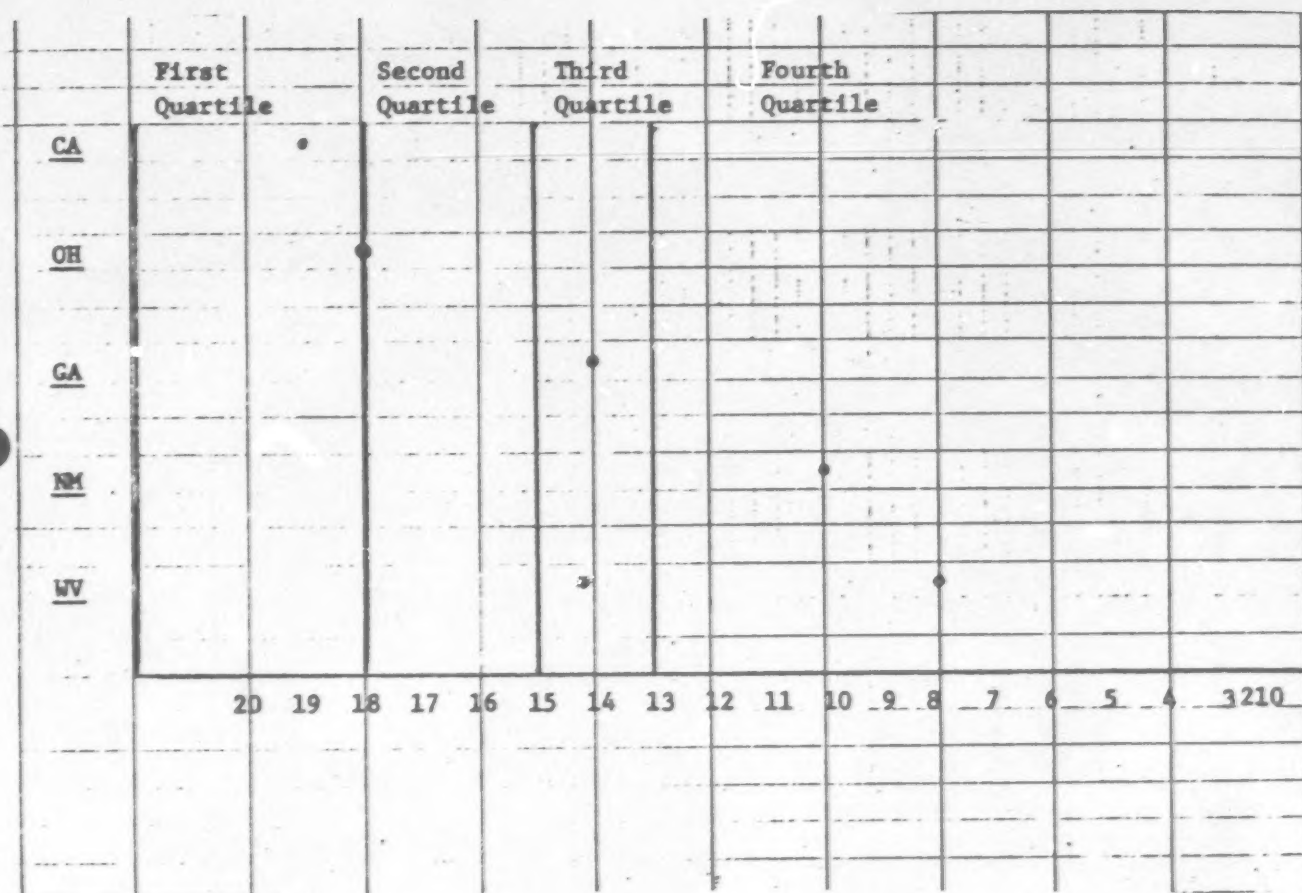
Francis' Centralization Index (1967) (27)*



*We are using the author and number reference format. See Chapter 12: Selected Bibliography.

Table 11-2.10

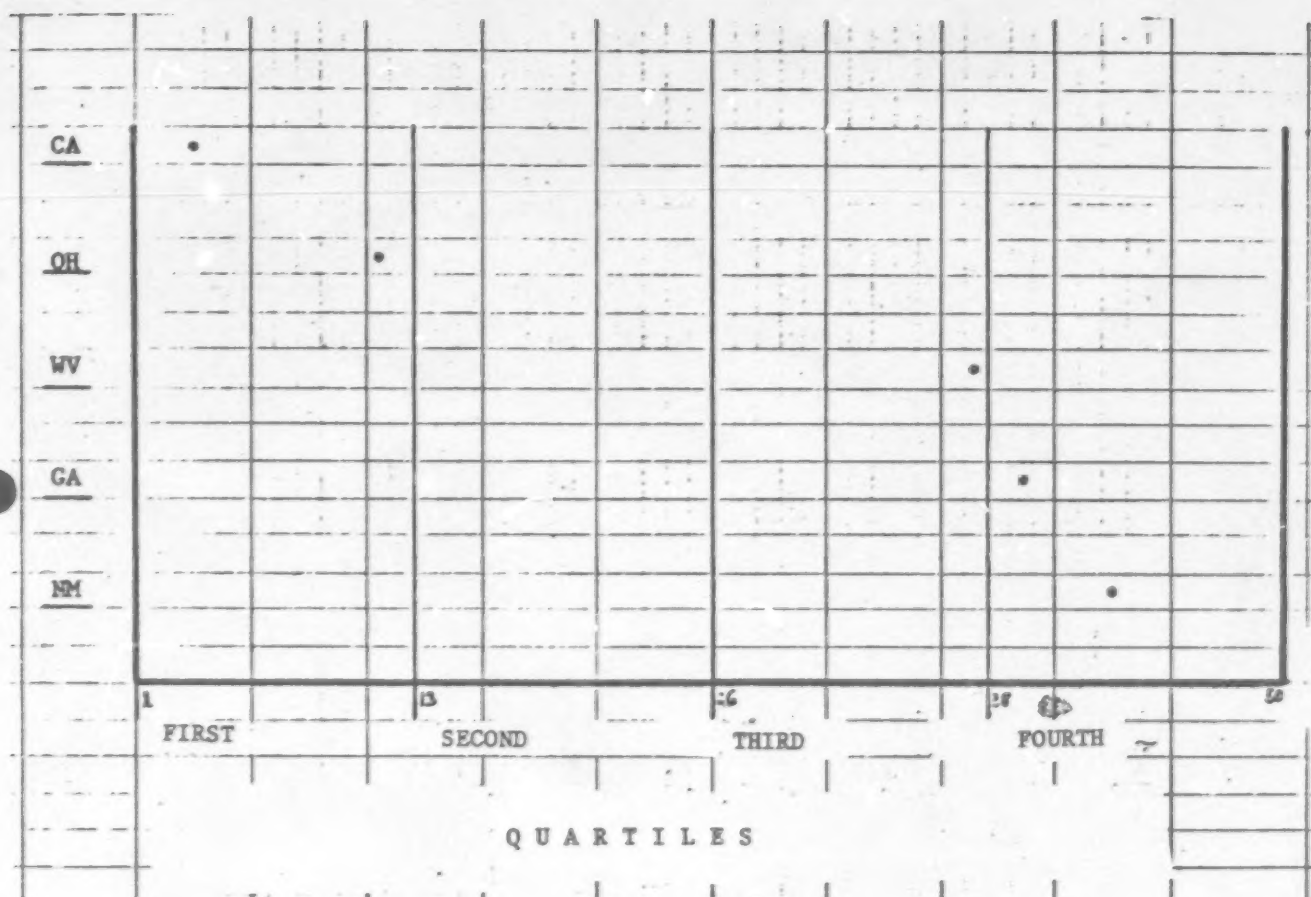
Schlesinger's Combined Index of Governor's
Formal Powers (1971) (57)*



*We are using the author and number reference format. see Chapter 12:
Selected Bibliography.

Table 11-2.11

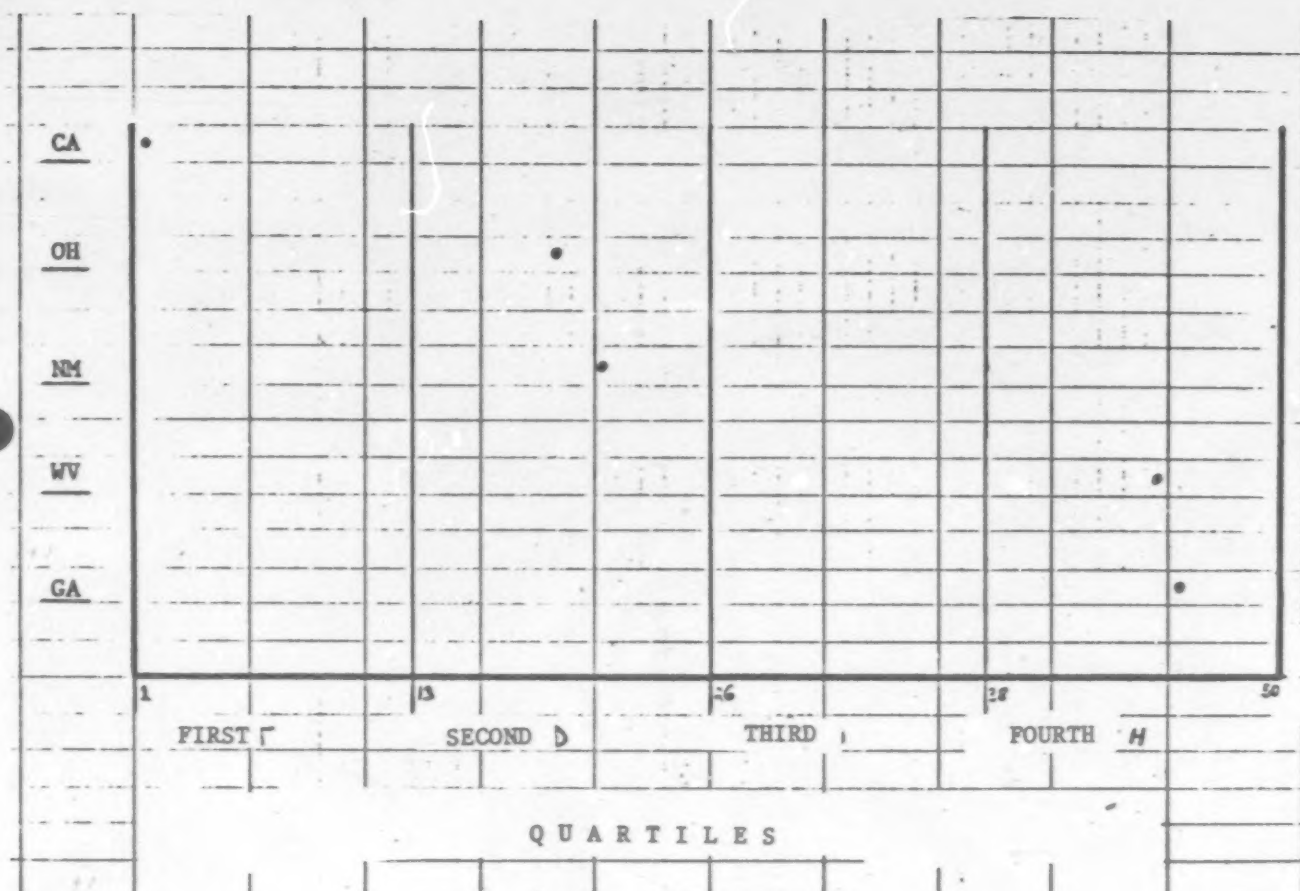
Walker's Innovation Index (1969) (65)*



* We are using the author and number reference format. See Chapter 12: Selected Bibliography.

Table 11-2.12

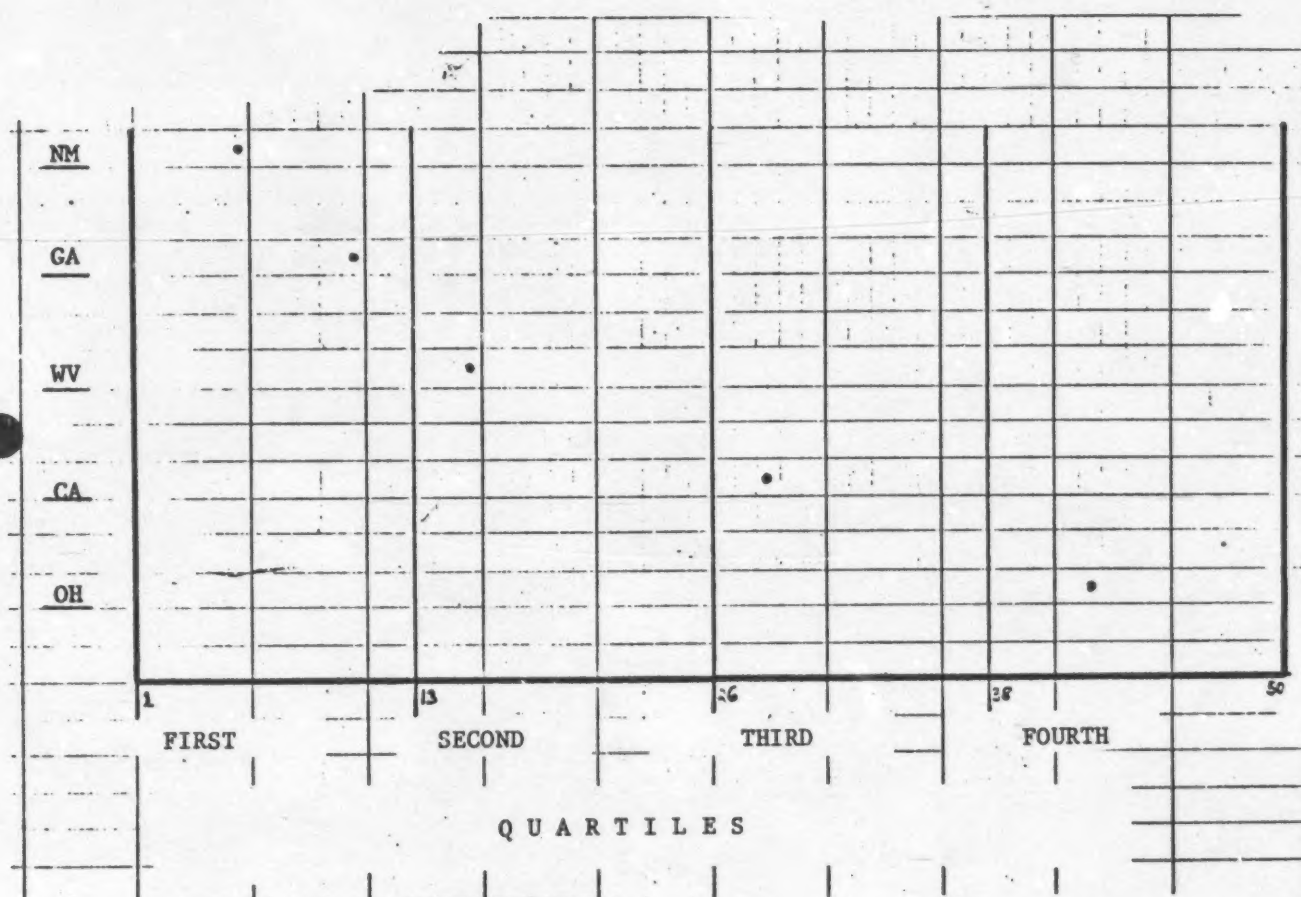
Sharkansky-Hofferbert's Welfare Education Index (1969) (60)*



*We are using the author and number reference format. See Chapter 12:
Selected Bibliography.

Table 11-2.13

State Support Index: Percent of Revenue for Elementary/
Secondary Education Derived from State Sources (1970-71) (52)*



* We are using the author and number reference format. See Chapter 12:
Selected Bibliography.

Comparative Case Study Methodology

- | | |
|-----------------|--|
| Attachment 11-3 | Core of research questions for ECE policy study |
| Attachment 11-4 | Letter of introduction to each identified state contact |
| Attachment 11-5 | Response form requested from each identified state contact |
| Attachment 11-6 | Questions for the structured phase of the elite interviewing |

Attachment 11-3

Core of research questions for ECE policy study*

In keeping with an in-depth treatment or case study approach, it is important to have a consistent framework for analyzing the rationales behind recent ECE policy activity. To ensure a uniform focus on the dynamics of ECE policy making, we have formulated a core of research questions to be applied in all five case studies:

- (1) What was the background to the reform--the status quo ante?
- (2) Who launched the proposal(s) and what was the rationale(s)?
- (3) What was the response to the proposal(s)?
- (4) What legislative provisions were proposed? How were they altered throughout the policy process and what was the rationale(s) for the modification(s)?
- (5) How was the initiative developed?
- (6) Who assumed the role of legislative leadership and why? What was the involvement of the executive branch, i.e., State Education Agency, the Governor's office, and other agencies?
- (7) Who opposed and what was the rationale(s)?

*These questions follow an analytical framework most recently utilized by Berke and Kirst in their examination of the politics of state school finance reform which will be published in a forthcoming book, The New Era of State Politics of Education (7).

Attachment 11-4-(1)
STANFORD UNIVERSITY
STANFORD, CALIFORNIA 94305

357.

SCHOOL OF EDUCATION

March 21, 1974

S A M P L E

Hon. Terrell Starr
Chairman
Senate Education Committee
4766 Inglewood Lane
Forest Park, Georgia 30050

Dear Senator Starr:

We are about to initiate a National School Law Study focusing on Early Childhood Education Policy Making in selected states. This policy investigation is being supported by an Office of Economic Opportunity research grant through the Hewitt Research Foundation. (See enclosure, Statement of Purpose.)

HB-421, 1973, has been selected as one of five (5) cases for analysis. In approaching this policy investigation of Georgia, you have been identified as a person who is knowledgeable concerning the formulation of this legislation and we wish to solicit your assistance and counsel.

First, we would like to schedule an interview with you during the week of our visit to your state — May 20th through May 24, 1974. Would an early morning appointment (9 am) on Tuesday, May 21st, in your Atlanta office at the State Capitol be convenient to your schedule? If you will be in Atlanta during this week, and if this appointment is not convenient, please suggest another time on this day, preferably, or during the 20th through the 23rd. If you will not be available in Atlanta during this week, we hope that we can make arrangements for at least a phone interview on Tuesday, May 21st. We have provided space at the top of the enclosed form for your convenience.

The interview will take an hour. There are two components: A structured section in which we will seek your response to a common set of questions; and an open-ended part in which we will enjoy your commentary about HB-421. We would be most appreciative of the opportunity to review any documents, e.g., correspondence, reports, newspaper clippings, etc., that you have on this legislation. This material will, of course, be held in strict confidentiality.

We request your counsel in a second matter. The success of our policy investigation will be dependent as much on our ability to identify and interview the principals in the process, as it will in our efforts to collect historical, i.e., written documentation. Therefore, in preparation for our visit to your state, we seek your guidance in identifying: (I) a list of the notable participants who need to be contacted, and perhaps interviewed, with reference to the initiation, formulation, and negotiation of this policy; (II) relevant documents, reports, hearings, that were issued during this process or that provide a background for understanding this legislation; and (III) formal groups that played a substantive role, either in supporting or in opposing the legislation. We have enclosed the response form for your convenience.

Attachment 11-4-(2)

Hon. Terrell Starr
Page -2-

March 21, 1974

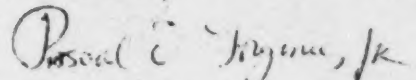
Since your deliberate input is essential to the development of our strategy for approaching this policy investigation, we would like to encourage that your response not be limited to this form solely. We would be appreciative of any additional suggestions you deem appropriate.

If you would like to contact us in the interim, we can be reached at (415) 327-2949 or (415) 321-2300, Ext. 2124, School of Education, Stanford University. Our mailing address is:

ABRAMS 6H
Stanford, Ca. 94305

Thank you for your time. Looking forward to meeting with you in the near future.

Cordially,



Pascal D. Forgione, Jr.
Principal Investigator

I. Notable Participants: Please include name, title, address and telephone number where available.

The following is a list of potential policy makers: State Department Education; State Board of Education; Governor's office; House & Senate (especially, Education committees and their consultants); Educational and Special Interests; Lobbyists; and External Forces, i.e., Fed. agencies, the Courts.

NAME: TITLE: ADDRESS: PHONE:

II. Relevant Document Reports, Hearings:

TITLE: SOURCE: CITATION: (identification number and date)

III. Formal Groups Involved:

Please include full title of organization and indicate whether the group was (PRO) in support, or (CON) in opposition to this initiative.

POSITION: ORGANIZATION: ADDRESS: PHONE:

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(Reverse side may be used if more space is needed)

Attachment 11-6

Questions for the Structured Phase
of the Elite Interviewing

1. What do you feel were the sources of this reform initiative?
2. Who would you identify as being involved in the substantive policy negotiation on this bill?
3. What do you feel were the rationale(s) behind this policy initiative?
4. Did you have a prior (articulated) policy position on this issue?
5. What were the sources of information that influenced your decision?
6. Did this legislation evidence any special value perspective on the Early Childhood issue?
7. What would you identify as the critical political turning point or rationale that supported the success of this bill?
8. Do you see any divisions or stages in the formulation of this policy? How would you map the initiation, development and brokering of this policy?
9. How would you characterize the activity of the educational interest groups in relation to this legislation?
10. Did any particular interest (group) play a crucial role in the final outcome?
11. Who was (were) the chief entrepreneur(s) in the brokering of this legislation? What strategy did these brokers tend to use in their policy formulation?
12. Do you have any hunches that might explain the ultimate success of this legislation?
13. What documents/evidence does there exist concerning the initiation and development of this policy issue that I might review? Do you have any personal material that I might review?

Chapter 12:
Selected Bibliography

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*This list of references reflects only a literature review that was essential to the development of Part Three, Comparative Case Study Research Design, which includes Chapter 10, Research Surveys of Early Childhood Education and Chapter 11, Research Methodology.

This selected bibliography does not include the source material and documentation of our case studies. The reader should review the list of references that follows each chapter in Part Two for a complete listing of the early childhood education literature upon which our contemporary policy studies are based. (Chapter 3--Introduction, p. 43 ff; Chapter 4--West Virginia, p. 85 ff; Chapter 5--California, p. 138 ff; Chapter 6--New Mexico, p. 193 ff; Chapter 7--Ohio, p. 215 ff; Chapter 8--Georgia, p. 270 ff; and Chapter 9--Comparative Case Study Analysis, p. 291 ff). Similarly, the references for Part One, the historical component, which are cited as footnotes in Chapter 1 and Chapter 2 are not duplicated here.

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